

THE CLERGY REVIEW

SEPTEMBER, 1947

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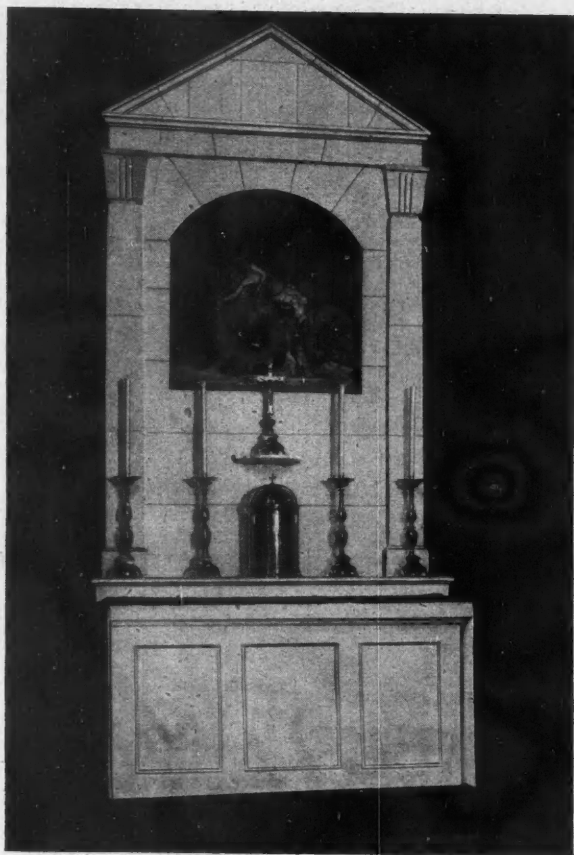
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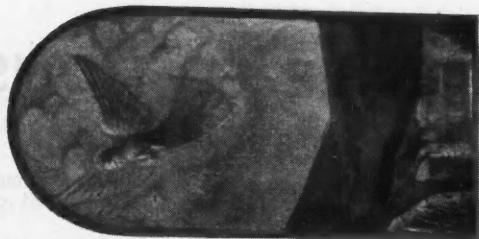
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The CLERGY REVIEW

NEW SERIES VOL. XXVIII. No. 3. SEPTEMBER 1947

LUTHER AND NON-CATHOLIC CHRISTOLOGY¹

IT has been stated that every new movement in German Protestant theology is a return to Luther. Great as is the attraction of Luther's personality to German Lutherans, it would be an exaggeration to say that such a return has always been conscious. However that may be, it is both interesting and instructive to attempt to trace a multitude of widely different theologies or philosophies to a common source.

It is not hard to discover such a common source of most typically Protestant Christology in Luther. For the sake of simplicity and brevity, Luther's attitude to traditional theology may be analysed into three "isms", for which I may be excused if I use the barbarous terms "anti-intellectualism", "fiducianism" and "individualism".

The first of these he shared with many others of his age, including some illustrious Catholic scholars. In the form in which it was most widely found it was a vigorous reaction against all philosophy, and above all against its introduction into religion. The historians are no doubt right when they lay the blame for this on the shallowness of the decadent scholasticism of the late Middle Ages. For the Reformers all scholasticism was the same. Renaissance culture made few distinctions. St Thomas and Aristotle went the way of Occam and Durandus. It was Colet who wrote, "What . . . do you extol to me such a man as Aquinas? If he had not been possessed with arrogance, he would not have defined everything with so much temerity and pride; and if he had not had something of the worldly spirit, he would not have corrupted the whole doctrine of Christ with profane philosophy."² And again, "Keep to the Bible and the Apostles' Creed, and let divines, if they like, dispute about the rest."³ Erasmus complained bitterly of the lack of culture

¹ This paper was read to the Conference of Ecclesiastical Studies, Easter, 1947.

² Erasmus, *Ep.*, 435; Gore, *Dissertations*, p. 180.

³ Quoted by Hollis, *Erasmus*, p. 35.

in the theology schools, and the uselessness of their discussions. Theologians, he said, disputed about questions "which pious ears will hardly tolerate, as when we query whether or not God could assume the form of a devil or an ass."

He objected that "almost all those who apply themselves to the study of theology, the highest of all studies, are those who, on account of their dull and unfit minds, are hardly suited for any sort of literature."

Luther was not the one to defend the schools. He said that St Thomas was "Aristotelicissimus ac plane Aristoteles ipse", and he did not love Aristotle. He complained that, when St Paul had banished Aristotle from the Christian religion, St Thomas had brought him back, and that the scholastics had made Aristotle an authority on a level with Christ.¹

One development of this anti-intellectualism was Luther's contention that Christ is the only source of our knowledge about God. The fault of the Scholastics, he said, had been to start with the study of pagan metaphysics. This forced them to adapt the Christian doctrine of the Incarnation to their preconceived philosophical theories about God's nature, instead of accepting Christ exactly as He is given us in revelation.

Closely allied to this was his principle that we must study the gospels without preconceptions, even though we might be led to positions perilously like Monophysitism or Nestorianism. Thus, about the difficult passage in Luke ii, 52, Luther wrote: "According to the plain sense of Luke's words, in the simplest manner possible, it really took place that the older Christ grew, the greater he grew: the greater, the more rational; the more rational, the stronger in spirit and the fuller of wisdom before God, in Himself and before the people. These words need no gloss. Such a view too is attended with no danger and is Christian; whether it contradicts the articles of faith imagined by scholastics or not is of no consequence."²

The second Lutheran position that has been a source of division between Protestant and Catholic thought is what we

¹ Cf. Luther's *Table Talk*, trans. by W. Hazlitt, 1857, p. 212: "'Tis just the same with Thomas Aquinas, who, in his books, argues, *pro et contra*, and when he cites a passage in Scripture, he goes on: Aristotle maintains the contrary; so that the Holy Scripture must give place to Aristotle, a heathen."

² Quoted from Dorner by Gore, *Dissertations*, p. 181.

have termed fiducianism. Luther rejected completely the traditional notion of faith, and put in its place the Protestant notion of a non-intellectual trust in Christ and His redemption, by which alone we are saved. Our belief counts for everything, our works count for nothing.

To know Christ is, for Luther, to know His benefits. To accept His doctrine is to realize what He does for me. "Therefore, when I hear Christ speak, and say: 'Come to me, all ye that are weary and heavy laden, and I will give you rest,' then do I believe steadfastly that the whole Godhead speaks in an undivided and unseparate substance. . . . I, out of my own experience, am able to witness, that Jesus Christ is true God; I know full well and have found what the name of Jesus has done for me."¹ "Now, when it is asked: what dost thou believe in this second article concerning Jesus Christ? answer most briefly this: I believe that Jesus Christ, the true Son of God, has become my Lord. And what do the words, to *become thy Lord* mean? They mean that He has redeemed me from sin, from the devil and all misfortunes."²

Christians, then, are not to study the nature of God, but to know His will set out for us in Christ. Nor are we to study Christ's life in order to imitate Him. This is the scholastic fallacy of works. We become like Him, simply by believing on Him, trusting Him. "Imitation does not make people Sons of God, but it is Sonship that makes them imitators of God."³ "It is not enough, it is not Christian, to preach the works of Christ, his life and words, merely in a historical manner, in the sense that they once occurred, as if knowledge of these facts would suffice by way of example for the conduct of life, though such is the practice of those who today are taken to be our best preachers. Much less does it suffice to keep silence about Christ altogether, and to teach, instead of him, the laws of men and decrees of the fathers. Not a few also are preaching Christ and eagerly reading about him in order to stir up men's emotions to sympathy with Christ and anger against the Jews, and such-

¹ Luther's *Table Talk*, trans. by W. Hazlitt, 1857, p. 77.

² Luther's *Primary Works*, etc., E.T., 2nd ed., p. 99. Quoted by Sidney Cave, *The Doctrine of Christ*, pp. 139-40.

³ Quoted from Luther on Gal. iii, 14, by James Moffat, *Jesus Christ the Same*, p. 74.

like childish, effeminate hysteria. Rather should Christ be so preached that faith in him may be firm to the end, that he may be not only Christ, but a Christ for you and for me."¹

Above all Christ must not be preached as our judge, but only as our Saviour. It matters not how unworthy we are, if we trust Him we cannot be lost.

The third aspect of Luther's break with fifteen centuries of Christianity was his *individualism*, shown especially in his rejection of all authority. In principle this extended not only to the Church together with all the decisions of popes and councils and the whole weight of tradition, but even to the Creeds and the Bible itself. It is often thought that the Lutheran revolution consisted in a replacing of the authority of the Church by the authority of the Book. This was often so in practice, but not in principle. Since, more recently, Protestants have often tended to lose their hold on the Bible and certainly do not consider it inspired (in the old sense) or infallible, it is often pointed out that Luther explicitly insisted that the individual Christian is bound to no authority on earth, not even the Scriptures.

No one will question that these three principles are of the very essence of Luther's theology,² or that all three as they stand are out of harmony with the Catholic theology of the Fathers and Scholastics, as well as with Catholicism since. Anti-intellectualism opens the way to various forms of pragmatism, emotionalism and irrationalism. Fiducianism destroys a man's interest in truth for itself, and focuses attention on subjective values. Individualism easily becomes anthropocentric and unrealistic.

The radical nature of the Lutheran revolt was not immediately manifest. The movement had first to pass through a period of polemical "orthodoxy" and scholasticism, and it was only in the eighteenth century that Lutheran theologians succeeded in breaking away from the authority of their own Confession. The more emotional groups in the spirit of freedom and

¹ Cf. Moffatt, *Jesus Christ the Same*, pp. 41-2.

² Canon Smith suggested to me at the time this paper was read that the three principles above outlined might perhaps be reduced to Luther's doctrine of original sin and original corruption. Man's intellect and all his institutions are hopeless beyond repair, and not even God's grace can make them reliable vehicles of the divine.

irrationalism had recourse to pietism. The more rationalistic minded turned more and more to the new philosophy for inspiration, and, rejecting any dogma that had no perceptible significance for the conduct of the individual, reduced Christianity to little more than a system of Ethics. The Incarnation in consequence had little, if any, objective value for Lessing, Kant, Herder or Novalist. It is the third Lutheran principle of individualism that marks all Protestant religious thought throughout this century, and Christ retains no importance except as a guide or teacher, example or idea, that can enter into the individual's conscience.

It is Schleiermacher that is regarded by Protestants themselves as the real Father of modern Protestant theology. He was as un-Lutheran in some respects as his rationalistic and pietistic predecessors. He inherited from the former a deeply humanistic reverence for culture in all its forms, and had no desire to defend a religion out of harmony with the wisdom of this world. But in another important respect he reacted against the rationalism of the time, in an effort to free religion from its dangerous dependence on philosophy and to make it an affair of consciousness and even feeling. It was a new form of the Lutheran substitution of fiducianism for philosophy, but most decidedly one which Luther himself would not have recognized. The aim of religion, according to this view, is to free our finite consciousness from the bounds of the sense-world and unite it to God. We must be made God-conscious, we must achieve a measure of that God-consciousness of which Jesus is the supreme example and teacher, and by which He brought about the reconciliation between the infinite God and the resistant finitude of man. Thus Christ is no longer God, but uninterrupted God-consciousness. Schleiermacher wrote with sincere conviction, deep reverence and passionate ardour, but he has lost in subjectivism the heart of Christianity.

Much more like that of Schleiermacher than either of them realized was the theology of Hegel. Where Schleiermacher put feeling, Hegel put intellect and intuition. God becomes identified with man's intuition of Him, and man becomes identified with God. Christ is the idea of God, the transfiguration of the finite, the manifestation of the All.

By the middle of the century it was clear that the revival of a Lutheran theology independent of, or above, human philosophy was moving in the wrong direction. A more vigorous and conscious return to Luther was the work of Ritschl, who was to prove the most popular of all the Lutherans in England. Hegel had reduced all theology to the level of metaphysics, reviving thereby, so Ritschl contended, the error of the Scholastics and ancient creed-makers. The true Lutheran—the true Christian, he would have said—must avoid speculation, and put his faith in Christ's redemption. By trusting in Christ and His divine power to save me, I recognize His divinity. In no other way can His divinity be proved. If men trust Him, He brings God to them. We must not ask whether Christ existed before the Incarnation, nor in what way He continues to exist now. Such matters are barren speculation and valueless for the Christian.

Ritschl has often been accused of pragmatism, and there is no denying that his doctrine strongly tends in that direction. But some of his followers, notably Hermann and Kaftan, interpreted him in a non-pragmatic sense and moved rapidly towards traditional Christian orthodoxy in open revolt against the earlier liberalism. A far more influential school interpreted Ritschl's value-theology in the sense that Christ merely had the value of God, being in His essence no more than man. Theology in consequence became a liberalistic study of his life, example and character. Notable in this school were Harnack and Bousset and eventually, in an even less orthodox form, Troeltsch. Before long they found themselves, while still worshipping Him in the Christian tradition, proclaiming Him to be no more than a Jew of exceptional godlikeness, subject to the limitations of His time and people.

Outside this line of development was another group of Lutherans, destined to have an influence on many non-Catholic theologians of every communion, who became known as the Kenoticists. They departed from all the current philosophical and agnostic theologies, and reverted to a Lutheran doctrine, which they developed according to traditional and non-Lutheran principles. The doctrine, as in Luther, was a consequence of his anti-intellectualism. We must accept, he had said,

the scriptural portrait of Christ in its most obvious sense, uninfluenced by Scholastic metaphysic. This had meant to Luther that we must admit Christ's ignorance. He had used the old term "*communicatio idiomatum*" with a new meaning, saying that the human nature of Christ took on divine qualities, while His divine nature took on human imperfections. Thomasius is usually regarded as the originator of modern Kenoticism. He distinguished two classes of divine attributes, essential and cosmic. The former were His holiness, His love and His justice; the latter His omnipotence, His omnipresence and His omniscience. It was impossible for Him to abandon His essential or moral attributes, but when He became man He *did* renounce His cosmic attributes. We see underlying this doctrine the error of identifying "Person" with consciousness and of seeking to explain Christ's life as a simple conscious unity. Kenoticism was defended in varying forms by French, German, Swiss and Danish theologians, and was introduced into England by Bruce, Fairbairn, Gore, Weston and Dr Mackintosh were among its English sympathizers. Not all these theologians held the doctrine in the same way. The more orthodox admitted that the Word retained all His divine functions in heaven at the same time as He renounced some of them on earth. The less orthodox went so far as to say that God the Father ruled the Universe without God the Son during the period of the Son's life on earth. Archbishop Temple was among the Church of England theologians who criticized Kenoticism severely, and since his time it has somewhat fallen from favour.

One peculiar variant of the Kenotic school was that defended by the German Lutheran Dorner. He proposed a sort of evolutionary Incarnation. The more Christ assumed external humility and humiliation, the more He received divine glory. He assumed human failings in order that in Him they might be transformed into the divine. Christ became fully and finally divine on the cross. Kahler and Seeberg adopted this type of incarnational theology in Germany, and something similar has been defended recently in England. This school explains the spiritual life of each of us in mystical union with Christ as a destroying of the purely earthly element in our nature and the progressive appropriation of the divine.

The present century has seen a new and determined return to Luther, which condemns all previous Lutheran theology for concerning itself with man, and the words and works of man, instead of God, and in many respects, in going back to Luther it has drawn nearer to Catholic orthodoxy. It seems to have received its original impetus from the revived study of the nineteenth-century Danish revolutionary theologian, Kierkegaard. The chief representatives of the new movement today are Dr Barth and Dr Brunner. One must allow the justice of their claim to be more genuinely Lutheran than any of the long list of Lutheran theologians since the time of the Reformation. With great earnestness and zeal they defend the three characteristic Lutheran principles as above described. The Christian Religion must proclaim the pure Word of God, and it is a sin against her claim to have recourse to any human philosophy or culture to explain or defend it. Faith is unreserved acceptance of Christ. No human authority—no authority either of Book or of Church—can claim to be the unique divine channel of the revealed Word. It must be admitted that the movement has in general asserted with vigour and without compromise the traditional Christian dogmas of the creed, and proclaims unhesitatingly that Jesus was God. Many have thought that in this it is illogical. Time alone will tell with what success the new Lutheranism can at one and the same time despise the help of philosophy, retain the support of men, and remain true to the pure unchanging Word.

In this mere sketch of the fate of Christology among those who left the ancient Catholic tradition at the Reformation, little has been said of English theology. This is mainly because theology in this country has never made up its mind whether to be Catholic or Protestant in inspiration. At all times England has had theologians who have drawn from genuine Catholic sources, ancient and modern. This is perhaps more than ever true today. But at the same time it has always had many who have preferred to look to Germany, and some even of the Anglo-Catholics have been unable to resist this attraction.

I would suggest in conclusion that it is probably true to say that religious non-Catholics in this country—even when their theories have been most compromisingly heterodox—have

found it hard to worship Christ as less than God. Grace and the irresistible personality of the Saviour have been stronger than their tottering beliefs or agnostic philosophies.

H. FRANCIS DAVIS

THE NEW LAW FOR SECULAR INSTITUTES¹

CANON LAW is usually to be found lagging a step behind the fertile zeal of the faithful; for, no matter how much the legislator may strive to keep abreast, their inventive genius sooner or later enables them to outpace him. The Church, needless to say, takes the initiative in preaching the Gospel. From age to age she keeps pointing to the goal of perfection in Christ to which all Christians, in varying degrees, are called. But, as a rule, it is only when the faithful, in response to her earnest summons and prudent guidance, have themselves evolved new methods of advancing in perfection that she intervenes with her laws to commend what is good, prune what is bad, and incorporate all that is of lasting value into the unity of that living and growing organism, which is the Mystical Body of Christ.

That, roughly speaking, is how the existing canonical system of the State of Perfection has come into being. From the very first, the Church has given the fullest encouragement to all endeavours to follow Christ in the way of the evangelical counsels, both individual and collective. Her commendation of individual efforts was manifested in the primitive liturgical consecration of virgins; but, in recognition of the social instinct of mankind, it has always been to public and collective efforts that she has given her principal attention and support. Realizing that the public and collective profession of the State of Per-

¹ *Constitutio apostolica* (2 Feb., 1947): *De Statibus Canonicis Institutisque Saecularibus Christianae Perfectionis Adquirendae* (A.A.S., 1947, XXXIX, p. 114). Full text see below, pp. 196-207.

fection was indispensable to her full organic growth, she added it, at a very early date, to the twofold social order established by Christ, as a third estate to which clergy and laity could equally belong.¹

In view of the social consequences of this amendment to the constitution of the Church, collective efforts in pursuit of perfection have always been a matter of immediate concern to the ecclesiastical legislator. While respecting the freedom of the individual to follow the counsels in any naturally legitimate way, he has necessarily sought to ensure that only those organizations should be incorporated into the structure of the Church which give promise of fitting harmoniously into its framework, and enabling it the more effectively to achieve its divine purpose. It has therefore been the constant practice of the Holy See to give canonical recognition to the profession of perfection only when it is made in societies whose general form and method have been duly examined and approved by the proper authority, and whose object has been adequately tested in the hard school of experience.

In the course of time, four constitutive elements came to be considered essential to the Religious State, either from the nature of things, or by positive ecclesiastical ordinance; namely, common life under the rule of a superior; self-dedication by vow to the three evangelical counsels of poverty, chastity and obedience; public acceptance of these vows in the name of the Church; and finally, positive and formal approbation of the institute by competent ecclesiastical authority, in such manner as to give it moral personality and juridical status in the Church.

For many centuries all the many and varied organizations which satisfied this fourfold requirement were alike in that their vows were not only "public",² but "solemn"³; so that, when

¹ Canon 107.

² "A vow is public, if it be accepted in the name of the Church by the legitimate ecclesiastical superior; otherwise it is private" (Canon 1308, §1).

³ The Code avoids defining the distinction between solemn and simple vows. Canon 1308, §2, simply says that a vow is solemn, "if it be acknowledged as such by the Church; otherwise, it is simple". The simplest practical distinction is that made by the juridical effect: solemn vows render contrary acts null and void; simple vows make contrary acts unlawful, but do not *per se* deprive the vower of his natural capacity to do them validly.

St Ignatius of Loyola introduced a distinction between simple and solemn vows in his society, there were some who doubted whether these simple vows were sufficient to the Religious State. Gregory XIII settled the point, at least for the Society of Jesus, by declaring that all its professed members were "really and truly Religious",¹ and it became normal in subsequent foundations, such as the Passionists, Redemptorists, etc., to prescribe simple vows for all the members. Finally, in 1900, Leo XIII regulated the canonical status of Congregations of Simple Vows by a formal constitution,² and the Code of Canon Law, completing his work, included them expressly among "Religions", strictly so called.

Meanwhile, side by side with this twofold development of the Religious State, in the proper sense of the word, there had come into being a number of societies which, while imitating the Religious State in so far as they observed community life under the rule of a superior, lacked certain of the juridical elements essential to that state.³ They are of considerable variety. Some, e.g. the Vincentians, take all the three essential vows.⁴ Others take only one vow, e.g. the Belgian Beguines, who are bound simply by a temporary vow of chastity. Others, e.g. the Oratorians, take no vows at all. Others are bound merely by an oath or promise, e.g. the White Fathers, who limit themselves to an oath of obedience, and the Pallottini, who make a promise of stability, common life, poverty, chastity and obedience. But whether or not they approximate to Religious in their external way of life (and some, indeed, are externally indistinguishable), *canonically* they are all clearly distinguished from Religious by the fact that their vows, if any, are not "public", i.e. not authoritatively accepted in the name of the Church.

¹ Const. *Quanto fructuosius*, 1 Feb., 1583; Gasparri, *Fontes*, n. 150.

² Const. *Conditae a Christo*, 8 Dec., 1900; Gasparri, *Fontes*, n. 644.

³ They originated in the Low Countries in the early Middle Ages, the first recorded examples being the Beguines (12th century), and the Brothers of the Common Life, founded by Gerard de Groot (14th century). Since the 17th century, their number has greatly increased with the addition of such well-known societies as the Vincentians, the Daughters of Charity, the Oblates of St Charles, the Oratorians, the Sulpicians, the Holy Ghost Congregation, the Paulists, the Eudists, the Josephites, the Pallottini, the White Fathers, etc.

⁴ The Vincentians add a fourth vow, of stability; but though all their vows are reserved to the Holy See, they remain canonically private vows.

The Code regulated the canonical status of these societies which have common life but private vows, in a special appendix to the Law of Religious,¹ which, while declaring that they were not, properly speaking, "Religions", nor their members rightly called "Religious", nevertheless equated them in most respects to the canonical State of Perfection. By sanctioning this development of her law, the Church could fairly claim to have made adequate provision for all who wished to leave the world in order to follow Christ.

In the peculiar circumstances of our age, however, there are many generous souls who, though they desire to follow Christ in the way of perfection, find that they cannot simultaneously fulfil their special apostolate or vocation of charity except by retaining their direct contact with the world. The result has been that, since the early part of the last century, "more and more pious societies of the faithful have been formed, which seek both to follow the counsels and to fulfil, with greater liberty, duties of charity from which the religious communities, owing to the perversity of the times, are mainly or entirely barred."² The Church was impressed from the first by the good showing of these "secular institutes", as they came to be called, and by their latent potentialities. Not only might they be used as a vehicle for the life of perfection in every walk of life, often in circumstances in which the canonical religious state would be incongruous or impossible, but they could also serve as a new instrument of the Church's apostolate, capable of penetrating spheres of life inaccessible to the cleric and the religious,³ and of reviving the Christian spirit in the home, in the trades and professions, and in social life generally. The Holy See, therefore, did not hesitate to give these new societies approval and encouragement. On the other hand, when the canonical effect of this approval became a subject of dispute, the Holy See hastened to point out that they were not approved as Religious congregations in any juridical sense, because,

¹ Lib. II, tit. XVII: *De societatibus sive virorum sive mulierum in communi viventium sine votis* (sc. publicis).

² S.C.Ep. et Reg., decr. *Ecclesia Catholica*, 11 Aug., 1889; *A.S.S.*, XXIII, p. 634.

³ Creusen refers to "interesting examples of this apostolate in the theatre and in places of amusement run on very profane lines".—*Ephemerides Theologicae Lovanienses*, Oct. 1934, p. 784.

apart from other missing requisites, their vows, if any, were private. They were approved simply as pious sodalities,¹ and moreover, only on the condition that they revealed themselves fully to the local Ordinary and submitted entirely to his jurisdiction.

Guided by this simple rule of thumb, the secular institutes have continued to multiply and develop in many and varied forms, some of them being linked to existing religious orders and congregations, others remaining completely distinct. It would be rash to quote concrete instances as belonging definitely to this category without first making a detailed study of their history and constitutions; but we have heard, for example, of a society whose members wear no habit and keep their very existence unpublicized, largely in order to survive the next civil suppression of religious organizations. Some of its members live in community, others in their homes, but all alike exercise their apostolate while gaining their living in the ordinary civilian way, e.g. as typists, clerks, etc.

The legislative system of the Church had hitherto made no specific provision for these highly organized and full-time religious "commandos", other than that contained in the altogether comprehensive section of the Code which deals with "Associations of the Faithful in General", in which company, if they were to be included, they would rub shoulders juridically with the most elementary types of pious association. Evidently something more closely adapted to their special needs was called for. Indeed, it was imperative, because their flexible manner of life, without the safeguard of a religious habit and a common dwelling, possibly without even the vigilance of the Ordinary, who might easily be unaware of their existence, had proved to be not without its dangers and difficulties. Moreover, if the clear-cut distinction between the various groups which make up the Church's social structure was to be maintained, it was desirable that a special status should be given to institutes of this kind, which, by their internal constitution, hierarchical government, total dedication to the evangelical counsels, and method of exercising their ministry and apostolate, approached closely to the canonical State of Perfection, at least as practised

¹ Decr. *Ecclesia Catholica*, loc. cit. p. 635.

in the Societies of Common Life without vows. In other words, a constitution was required which would do for secular institutes what Leo XIII had done for Congregations of Simple Vows, and what the Code had done for Societies of Common Life without vows. That need has now been met by the *Lex Peculiaris Institutorum Saecularium* promulgated with apostolic authority in the recent Constitution.

The Constitution begins by settling the question of their name and status. In order to distinguish societies whose members, while remaining in the world, profess the evangelical counsels, from the ordinary Associations of the Faithful, dealt with in the Code (Book II, part III), they are henceforth to be known as "Secular Institutes". Since they do not take *public* vows, nor require community life, at least of the strictly canonical type, they cannot be classed either as "Religions" or as Societies of Common Life without vows. They are therefore not bound by the special law proper to such bodies, nor may they normally even use it. Instead, they are to be governed by the general norms of this Constitution, by such rules as the Sacred Congregation of Religious (on which they depend) may hereafter issue for them, and by their own duly approved statutes.

In order that a pious association may be formally erected as a Secular Institute, those who aspire to membership in the strict sense must, in addition to the other requisites of the State of Perfection, fulfil the following conditions: first, they must make a profession before God of celibacy and perfect chastity, confirmed by vow, oath, or consecration binding in conscience; secondly, they must dedicate themselves wholly to God and to works of charity or of the apostolate, by a vow or promise of obedience which puts them permanently under the constitutional control of their superiors; and thirdly, they must make a vow or promise of poverty, restricting their free use of temporal goods in the manner described in their constitutions. Moreover, their incorporation in the Institute must be stable, so that, if their profession is temporary, provision must be made for its renewal in due course; and it must also be mutual and complete, in the sense that the members must give themselves entirely to the Institute, and the Institute must assume full care

and responsibility for its members. Even though they do not observe canonical community of life, they should have one or more community houses, where the superiors may reside, where the members may come for their spiritual formation and periodical exercises, and where those among them may be received for whom residence in private houses is impossible or inexpedient.

Secular Institutes can be canonically erected by the Bishop, but he must consult the Sacred Congregation of Religious beforehand, and notify it afterwards. Like Religious foundations, they are *iuris dioecesiani* until they obtain either formal approbation or a *laudis decretum* from the Holy See; thereafter, they are *iuris pontificii*, and subject to the local Ordinary only in the same degree as non-exempt Religious.

Once again, therefore, the legislator has caught up with the inventive zeal of the faithful, and re-established that tidiness of classification so dear to the heart of canonists and curial officials. For the moment, the system looks compact and shipshape enough; but past experience leads one to expect that, before very long, something will begin to slip. It is true that the Constitution seeks to provide for institutes that tend to defy classification, by declaring that those which lack the character or do not fully pursue the end described in Article I, and those also which lack any of the elements enumerated in Articles I and III, are to be governed by the ordinary law of Associations of the Faithful¹; but even this comprehensive provision cannot be guaranteed to prevent "escapees". In what category, for example, are we to place the "Friends of Jesus", an association of priests in the archdiocese of Malines, who, without living community life, bind themselves by the three vows of poverty, chastity and obedience? At first sight they would seem to fit neatly enough into this new category of Secular Institutes. But then we learn that the Sacred Congregation of the Council has recognized the public character of their vows²; and, as we have

¹ Article IV, §2.

² Mercier, *Priestervereeniging de Vrienden van Jesus*, Turnhout, 1932, quoted by Creusen, loc. cit., p. 781.

seen, public vows are more characteristic of Religious than of members of Secular Institutes.

However, the Sacred Congregation has already made provision for dealing with doubts and anomalies by setting up a special commission of experts to advise it in the interpretation and application of the new law, and in questions affecting the evolution and approval of individual Institutes.¹ We can therefore leave it to these experts to attach the right label to new foundations, when the local Ordinary consults the Sacred Congregation, as he is instructed to do, before proceeding to the act of formal erection. In any case, no reasonable person would want to see every generous collective endeavour clipped and curbed, simply in order to make it slide neatly into its appropriate category and spare the canonists a headache. Canon Law exists, not just for administrative convenience, but primarily for the general good of the Church.

LAWRENCE L. McREAVY

A HAMMER OF THE WYCLIFFITES

WILLIAM OF RYMYNGTON

IN the turbulent state of Oxford and of the country in the days succeeding the Peasants' Revolt, when the murder of the Archbishop of Canterbury was still fresh in men's minds, and when the nations of Europe were divided between Pope and Antipope, ecclesiastical and civil authority must have been at a low ebb indeed. Wyclif and his new sect were provoking temporal lords and subject people to persecute the Supreme Pontiff himself, attacks had been made on the doctrines of the Real Presence and Transubstantiation, and the sacrament of Penance had been pronounced useless to anyone duly contrite for sins committed; the cloistered monk and the mendicant

¹ S. Cong. de Rel., decr. 25 Mar., 1947; *A.A.S.*, 1947, XXXIX, p. 131. See below, p. 207.

friar were to be swept away, together with the counsels of perfection they were vowed to observe, for, as regards the contemplative life, Wyclif and his followers seem to have adopted all the objections which St Thomas Aquinas put forward and answered. With much insistence the new sect affirmed that no one had priority or superiority in any office while in mortal sin, and such a one did not hold his temporalities by just title; nay, rather it was lawful and meritorious in prince and layman to sit in judgement on the ranks and grades of the Church from the Pope downwards, and should this self-appointed tribunal decide that temporalities were being put to a wrong use, the offending clerics were to be stripped of their possessions. The arrogance of its members was bolstered up by a certain show of piety, a pose of sanctity, and a semblance of aiming at perfection which ill accorded with the evil effects that were patent to any discreet observer, with the division that was fostered between priesthood and realm, between prelates and their subjects, and even between princes and their subject peoples:

In the picturesque phrase of Leland, "when now the minds of the Oxonians were half asleep in permitting Wyclif's doctrine so far to spread", the Church was not without protectors, and Anthony à Wood singled out William of Rymyngton, a Cistercian who a decade before had been chancellor of the University of Oxford.¹ John Pits in 1619 could admire his subtle genius, keen judgement, unwearied industry, and the wonderful zeal with which he worked day and night to detect and refute the frauds of the Wyclif sect. John Bale, Brian Twyne, Thomas Tanner, and the two Cistercians, Henriquez and Visch, found a place for Rymyngton in their lists of "scriptores" and have kept alive the memory of his works still in manuscript.

On 26 July, 1358, a petition "super defectu natalium" was presented at the curia of Innocent VI on behalf of William of Rymyngton, Cistercian monk of Sallay, diocese of York.² From his youth he had lived laudably in that abbey and had attained great proficiency in philosophy and theology, and a dispensation was requested and granted for him to hold any ecclesiasti-

¹ See my articles on Rymyngton in *Yorks Arch. Journal* (1931), Vol. XXX, pp. 231-47; Vol. XXXI, pp. 62-4; *Sallay Chartulary* (*Yorks Record Series*, Vols. LXXXVII & XC), ii, pp. 183-4, 189, 201, 205-7.

² Text in *Sallay Chartulary*, ii, pp. 183-4.

cal dignities, even the office of abbot. Presumably therefore Rymyngton was born about 1325, of an age with William of Wykeham and John Wyclif, and had been housed at Rewley Abbey during his course at the Oxford studium. He seems to have continued his studies at the University and became a professor of theology and Sacred Scripture. In 1372 he was elected Chancellor, although he did not hold the office for the full term (i.e. Whitsuntide 1372 to Whitsuntide 1374), but he must have been Chancellor at least up to Christmas 1373. Anthony à Wood asserts that he held office for a year and a half, when he resigned of his own accord.

As Chancellor, Rymyngton was twice chosen by Archbishop Thoresby to preach to the Northern clergy assembled in synod at York, and his Latin sermons were incorporated by a Whalley monk into a manuscript which is now in the Sorbonne Library, Paris.¹ When the Cistercian monk dealt vigorously with the duties of the priesthood, one can find an echo of St Bernard in his famous treatise on the duties of the papacy, for the sermons are a searching and sincere examination of conscience ranging over all the points of the priestly life—vocation, conversation, purity, dress, meditation and prayer, reading and preaching, charity, temperance, prudence, fortitude. The evils of the time were undeniable and Rymyngton was not among those who think it necessary to hold truth captive, because it would offend the guilty whom he ought to rebuke, nor did he consider that the best way to cure an evil was by ignoring or dissimulating abuses which were public and notorious; yet the contrast between Rymyngton and Wyclif was as great as that between St Bernard and Luther:

"Virtus fortitudinis in praelatis ausus subditorum temerarios reprimere debet per veritatis declarationem et censuras ecclesiae, praecipue si redundant in detrimentum fidei vel praejudicium ecclesiasticae libertatis. Haec etiam virtus curatorum bonum propositum et causam Dei perseveranter prosequens, nec propter timorem alicujus domini temporalis omittens, laicos provocat et informat ut in omni casu conscientiae Deum plus timeant quam

¹ University of Paris MS. 790, ff. 105v-120r. The text chosen in 1372 was "Videte, vigilate et orate" (Mark xiii), and in 1373, "Luceat lux vestra coram hominibus" (Matt. v).

potestatem aliquam saecularem. Sed o damnabilis vecordia quorundam praelatorum, o timor miserabilis, o consilium sine virtute, dum contra libertates patrimonii crucifixi saeviunt potestates adversae et ovile dominicum invadunt lupi rapaces, pastores dissimulant, fugiunt atque timent magis rerum temporalium perditionem et offensam principum quam sanctae matris ecclesiae laesionem enormem et indignationem iudicis omnipotentis. Haec pusillanimitatis et avaritiae nubes tenebrosa lucem maximam sacerdotum extinguit, qui pro justitia solebant antiquitus usque ad effusionem sanguinis omni discrimini viriliter exponere se et sua. Non igitur in vobis amodo praevaleat haec tenebra, sed fiat lux (Genesis i^o), et in privilegii clericalis justis defensionibus luceat lux vestra coram hominibus" (f. 111).

Rymyngton rebuked ignorance in a priest of those things he should know :

"Quomodo curabit laicos morbis spiritualibus laborantes sacerdos qui sacris litteris non intendit, poenitentiales canones non advertit, peccatorum gravitates seu species non discernit; sed errat saepius in confessionibus audiendis et ministrandis ecclesiasticis sacramentis, absolvens in casibus reservatis et mitens ad episcopum vel ejus poenitentiarium pro casibus minime reservatis, graviores poenitentias pro minoribus et leviores pro majoribus culpis injungens atque cum multis indebitis circumstantiis irreverenter conferens sacramenta? Sane, si non fallor, radix omnium talium errorum et defectuum est in examinatribus ordinandorum et promovendorum qui admittunt inhabiles, quando responderent pro Domino cum propheta Osee cuilibet inhabili sic dicentes: Tu scientiam repulisti et ego repellam te, ne sacerdotio fungaris mihi¹; quia nulli sacerdotum licet poenitentiales canones ignorare. Ideo in his defectibus corrigendis pro amore Jesu Christi et pro cavenda poenarum infernalium acerbitate videte, vigilate et orate" (f. 118v).

In 1372 Rymyngton deplored the "persecutio dolenda ecclesiae", in 1373 the "excessus, errores et haereses in ecclesia modernis temporibus miserabiliter succrescentes", and pointed to the remedy :

"Hac luce (divinae gratiae) non solum lucentes, verum etiam ardentem, ecclesiastici saltem semel in anno congregari deberent

¹ Osee, iv, 6.

ad effugandum pullulantium errorum tenebras, ad terminandum subortas controversias, ad confutandum haereticos et infringentes libertates ecclesiasticas, et ad destinandum graves causas curiae Romanae per commune cleri consilium et assensum, sicut patet in canone, distinctione octava decima per totum. Si singulis annis hujus decreti fieret executio debita per episcopos, qui etiam sunt inquisitores haereticae pravitatis, quis filius tenebrarum auderet per falsas prophetias et doctrinas subdolas informare principes saeculares ad spoliandum sanctam matrem ecclesiam de suis libertatibus et possessionibus, vel ad renovandum articulos pro quibus sanctus Thomas martyrium patiebatur? Revera nullus, nam supervenientibus lucis fulgoribus et ardore, evanesceret subito confusio tenebrarum" (f. 105v).

Rymyngton was the author of a popular meditation to a certain anchorite monk, compiled from Sacred Scripture and the writings of SS. Augustine, Bernard and Anselm; the author's identity being revealed by the *W. rit(h)mica villa* of the versified preface. The meditation is in three parts, and the thirteen copies which have survived are divided between the British Museum, Oxford, Cambridge, Paris, Manchester and Dublin¹:

"O virgo beatissima, mater Dei, cujus cor pertransivit acutissimus compassionis gladius in morte filii tui dulcissimi Jesu Christi, propter ineffabilia gaudia quae in ipso nunc obtines in coelestibus, dignare me miserum exaudire, mecum colloqui et me juvare. Numquid, domina mea, non sufficiebat nobis passio filii tui, nisi et tu cum eo vehementissime patereris? O piissima peccatorum advocata, numquid miseris proficere poterit haec tua compassio superabundans, dum quicquid filius in corpore sustinuit atrociter, tu in corde passa es? O mater misericordiae, nec tibi nec filio tuo sed mihi peccatori vilissimo debentur dolores et vulnera, illusiones et opprobria. Da mihi haec omnia, quia ego haec merui. Verte in me haec vulnera, quia ego peccavi; quia multum deliqui, puni me dolore" (Bodleian MS. 801, f. 124).

"O tu benedicta super omnes mulieres, quae angelos vincis puritate, sanctos superas pietate, tu genetrix divinae sapientiae,

¹ For the MSS. see *Torks Arch. Journal*, loc. cit. 1. Memento miser homo quia cinis es et in cinerem reverteris. 2. Memor fui dei et delectatus sum. 3. Memento mei deus, quia tuo amore languo. The late Dom Wilmart, O.S.B., considered this meditation worthy of publication (*Revue d'Ascétique et de Mystique*, Jan. 1926, p. 23, n.).

tu mater misericordiae, tu peccatoris advocata, tu pietatis regina, tu spes maxima miserorum, propter ineffabilem dilectionem qua diligis filium tuum, impetra mihi ut vere diligam eum; propter incomparabilem vitae munditiam tibi concessam, postula mihi gratiam cunctis immundis seu illicitis cogitationibus resistendi; propter sanctissimas lacrimas quibus flevisti filium tuum passum mortuum et sepultum, pete mihi devotionis lacrimas in vero desiderio sui amoris. Vere, domina mea, plenissima gratiarum, si digneris orando pro me ostendere filio de quibus nutritus est pectus et ubera, filius ostendet patri in quibus passus est pro me corpus et vulnera, et certus sum quod precum tuarum ulterius non poterit esse repulsa. Adjuro te ergo, domina mea benignissima, ut annunties dilecto filio tuo quia suo amore languco. O salvator mundi, dulcissime Jesu Christe, cui proprium est misereri et parcere, qui etiam pro tuis crucifixoribus exorasti, rogo te propter viscera misericordiae quibus nos visitasti atque propter preces et merita gloriosissimae matris tuae Mariae, ut omnes affectiones, omnes occupationes et omnes cogitationes amoris tuo contrarias excutias a corde meo. Et sic memento mei deus, quia tuo amore languco" (f. 129).

There is the same devotion to Our Lady in Rymyngton's meditation as was shown by another Sallay monk, Stephen of Eston (1224-33), in his meditations on the Joys of the Blessed Virgin Mary.¹

From the evidence of Rymyngton's tombstone in the south transept of Sallay Abbey, we know that he was prior there after leaving Oxford and died holding that office.² In a clerical subsidy list for 4 Rich. II (1380-81) his name follows that of the abbot in a community of seventeen, and from another source it is known that the prior in 1380 was named William.

On 31 May, 1376, Gregory XI issued a bull to the University of Oxford, directing the imprisonment of John Wyclif for teaching errors "quae statum totius ecclesiae ac etiam secularem politiam subvertere et enervare nituntur".³ Wyclif,

¹ A. Wilmart, *Auteurs Spirituels du Moyen Age* (Paris, 1932), pp. 317-60; and my article in *Torks Arch. Journal* (1932), Vol. XXXI, pp. 49-62.

² Hic jacet magister Willelmus de Rymyngton sacrae paginae professor ✠ et prior hujus domus ✠ ac quondam cancellarius Oxoniae ✠ cujus animae propitietur deus.

³ Text of the bull in Thomas Netter of Walden's *Fasciculi Zizaniorum Johannis Wyclif cum tritico* (ed. Shirley, 1858), pp. 242-4.

however, had powerful lay support, and it was only in May 1382 that twenty-four of his articles were condemned by a provincial council assembled at the Blackfriars in London.¹ About the same time Rymyngton summarized twenty-six "conclusiones haereticæ seu erroneæ quæ nuper traxerunt in errorem multos simpliciter literatos", and answered them with forty-five Catholic conclusions, which he proved individually.² His labours were undertaken at the request of the hierarchy and as a result many of Wyclif's followers deserted his cause and returned to orthodox beliefs.

In a lengthy prologue the "theologus de Sallay" quoted St Paul's warning to Titus to avoid heretics and gave St Augustine's definition of a heretic.³ Such people cut the threefold unity necessary for salvation, viz. the unity of Catholic Faith, the unity of the communion of Christ's Body, and the unity of charitable love. A certain modern sect lately sprung up in England from the subtle temptation of the devil was teaching heresy on the Eucharist,⁴ and maintaining that the priest's power to consecrate and any priority in the Christian Order were lost by mortal sin. This sect was speaking against Christ's vicar, the Roman Church, and the Catholic or common faith; it was resisting fraternal reproof, paternal correction and the determination of the Church; "in tantum quod nec etiam ipsius summi pontificis sententiæ se subicere dignatur, sed potius pertinaciter recalcitrat per quandam epistolam maledictam praesumptionis et blasphemiae plenam, provocans dominos temporales et populos universos ad persequendum ipsum summum pontificem tamquam profanum apostatam et blasphemum" (f. 201). Wyclif, who was in temper harsh and overbearing, made no attempt to conduct his arguments with any semblance of charity, and had at his command a veritable arsenal of cheap sneers.

¹ *Fasc. Zizan.*, pp. 275-82; Wilkins, *Concilia*, iii, 157-8.

² Oxford, Bodleian MS. 158, ff. 199-217. See Appendix to this article.

³ Qui in ecclesia morbidum aliquid pravumque sapiunt, si correcti ut sanum rectumque sapiant, resistunt contumaciter, suæque pestifera dogmata emendare nolunt sed defensare.

⁴ Wyclif began to utter blasphemies against the Sacraments, and especially against the Holy Eucharist, in 1379 or 1380. He was speedily condemned by William de Berton, Chancellor, and twelve doctors of the University, whereupon Wyclif appealed to King Richard II. The Duke of Lancaster came down to Oxford and enjoined silence upon him, but instead of obeying Wyclif put forth his *Confessio*.

Rymyngton warned his readers against the new heresy on the Blessed Sacrament :

"Cum igitur predicta secta nihil aliud ponat esse sacramentum altaris nisi panem et vinum, et hoc non idemptice sive substantialiter esse corpus et sanguinem Jesu Christi, sed solum sacramentaliter sive per modum signi contra communem fidem ecclesiae, sequitur quod discordat a fide catholica et scindit unitatem quam haberent christiani in digna susceptione corporis et sanguinis Jesu Christi, quale schisma cedere posset ad damnum inaeestimabile christianorum. Hujus erroris venenum summa diligentia caveas, christiane, quod te separare nititur a Deo tuo, a saluberrima medicina salutis aeternae et a communi fide sanctae matris ecclesiae, dum sub colore rectae fidei latens haeresis te defraudat ab effectu communionis sacrae corporis et sanguinis Jesu Christi; nec te moveat vel perturbet si quis magnus clericus et subtilis atque artissimam vitam ducens predictos errores doceat, teneat et affirmet" (f. 201).

Reacting from Thorold Rogers' view, Dr Oman discredited the idea that Wyclif's teaching influenced those who took part in the Peasants' Revolt of June 1381, because the report of Ball's confession was not mentioned until a whole generation after Wyclif's death.¹ Rymyngton, however, certainly made the same accusation soon after the Revolt :

"Nam (haec secta) publice praedicat atque docet licitum et meritorium esse dominis temporalibus atque laicis omnibus judicare summum pontificem et omnes ecclesiasticos de peccato sive abusu rerum ecclesiasticarum et consequenter ex illo iudicio procedere ad auferendum eis temporalia; immo ad subtrahendum constanter decimas et oblationes, non curando de sententia excommunicationis eorum sed potius reputando eos profanos, apostatas et blasphemos. Ex hac etiam doctrina consimiliter sequitur quod licitum et meritorium est communi populo laicorum judicare de peccatis et abusibus imperatoris, regum, principum et omnium temporalium dominorum atque violenter auferre ab eis temporalia dominia dum ipsis suo iudicio habitualiter abutuntur. Talis doctrina pestifera veresimiliter fuit

¹ *The Great Revolt of 1381*, Charles Oman, 1906; *Fasc. Zizan.*, p. 273.

causa nuper movens communitatem ad insurgendum contra reges et proceres hujus regni, quod fatuitatis factum ad finalem destructionem tam sacerdotii quam militiae in Anglia cessisset, si non misericordia Dei gratiosius succurrisset. Hoc non initium signorum hujus sectae sed potius tertium signum fuit, quia primo Londoniis resistens correctioni judicum episcoporum per procuratum auxilium brachii saecularis occasionaliter commovit civitatem ad insurgendum contra quosdam de majoribus regni nostri¹; secundo Oxoniis recalcitrans contra correctionem cancellarii² per falsas querelas et minus rationabiles depositas penes consilium regis, sic perturbavit matrem suam universitatem per indignationem regiam et ablationem libertatum suarum quod fere finaliter ibidem lumen sapientiae fuisset extinctum; et tertio ut predictum est Londoniis, quae est capitalis civitas regni, et in festo Corporis Christi,³ de quo haec secta sentit erronee, permisit Deus abjectissimam communitatem liberam potestatem habere, quasi ostendens regi et regno causam suae offensae, quia videlicet haeretica pravitas in istis partibus confovetur vel saltem non permittitur per locorum ordinarios castigari" (f. 202).

"Hos fructus hujus haereticae sectae quicumque Christum diligis diligenter considera et quemlibet ejus fautorem tamquam haeticum hominem post primam et secundam correptionem devita. Ad cujus vitiationis majorem evidentiam ego minimus clericorum, professor tamen theologiae veritatis dictus, licet tanto nomine sim indignus, innitens potius sententiae sanctae matris ecclesiae et praecedentium sanctorum quam sensui proprio, quasdam conclusiones elicui de sacris scripturis et dictis sanctorum, per quas cum suis probationibus patere poterit intelligenti responsio ad omnia argumenta predictae sectae quae ad meam notitiam pervenerunt et quae tendere videntur ad infectionem simplicium vel contra catholicam veritatem, submittens me in his omnibus iudicio sacrosanctae Romanae ecclesiae necnon et omnium praelatorum catholicorum, ad quos pertinet pravitatem haeticam reprobare et veritatem catholicam approbare. Placet enim mihi propter amorem Dei quod haeretici et eorum fautores incorrigibiles hoc opus meum derideant, reproben et pervertant, dummodo simplices catholici et electi Dei per illud consilium sanum habeant in credendo" (f. 202).

¹ 19 February, 1377, in St Paul's, London. John of Gaunt's life was only saved by the intervention of Bishop Courtenay.

² William of Berton. See *Fasc. Zizan.*, pp. 110-14. The time was early May 1381.

³ Corpus Christi in 1381 fell on 13 June. The following day Simon of Sudbury, Archbishop of Canterbury, was beheaded by the rioters.

Rymyngton foresaw clearly what was to happen at the Reformation in less than two centuries :

"Veresimile autem est quod si quis auferet ab ecclesia temporalia immobilia, nunquam cum cupiditate jam regnante fieret restitutio ; et sic talis dampnabiliter et periculosissime impediret omnia hujus bona spiritualia quae ex eis provenire debuissent usque in diem judicii, quod foret horribile peccatum" (f. 214).

The troubles of the Church and their causes were sketched vividly :

"Pro majori parte moderna ruina ecclesiae principiatur ex inhabilitate praelatorum et impunitate peccatorum, sed haec duo per temporales dominos seu patronos praecipue continuantur ; ex hoc, videlicet, quod minus habiles clericos promovent ad praelacias et pingua beneficia et corrigendos defensant exquisitis coloribus ne puniantur. Quotiens vacat episcopatus sive pingue beneficium, si ad collationem summi pontificis spectet, cito diriguntur ad curiam litterae speciales dominorum temporalium pro aliquo suo consanguineo vel clerico familiari pro servicio seu commodo ab eo habito vel veresimiliter habendo, licet ipse fuerit ad tale beneficium inhabilis et indignus. Si autem ad aliquod collegium spectet electio pastoris ad curam beneficii sic vacantis, statim consimiliter et pro causa consimili scribunt ad tale collegium domini temporales, interdum immitte minantes eis suam indignationem futuram si non eum elegerint pro quo scribunt ; qualibus litteris licet solum deprecativae fuerint multi non audent resistere, quia sicut dicit metricus : Est orare ducum species violenta jubendi, et quasi nudato supplicat ense potens. Si vero ad dominum temporalem pertineat collatio vacantis beneficii, frequenter non quaerit clericum habiliorem in scientia et moribus ad regimen animarum, ad honorem Dei et utilitatem ecclesiae, sed potius clericum licet inhabilem et indignum magis placentem vel proficientem sibi, et sic quod dolendum est omni saeculo, citius in episcopos sive praelatos alios his diebus promoventur servi dominorum temporalium quam servi Jesu Christi, regis regum et domini dominantium ; potius dominorum minus habiles et consanguinei seu clerici curiales quam doctissimi inter scholares ; saepius clerici coquinarum quam doctores divinarum scripturarum ; et frequentius mercenarii seu mercatores vel venatores locorum terrestrium quam praedicatores

coelestium gaudiorum. Sic in medicum assumitur qui non cognoscit medicamen, sic pastor servorum efficitur qui nescit quid pertinet ad pastorem, sic dux caecorum constituitur qui totaliter caecus est, et ex hoc in foveam cadunt multi. Haec nebula nimis spissa totam eclipsat ecclesiam militantem et paulatim dissolvens lapides sanctuarii facit ecclesiam ruinosam. Insuper valde timendum est quod ingressus simoniacus praelatorum in ecclesia injusta prece vel pretio vel obsequio in eos ac omnes eorum in hac parte fautores excommunicationem et indignationem Dei omnipotentis induxit. . . . Adhuc, quod amplius est dolendum, cum aliqui iudices ordinarii clericorum zelum Dei habentes secundum aliqualem juris rigorem peccantes corrigere vellent, cito procurabuntur domini temporales vel eorum ministri ad defendendum culpabiles per preces vel minas, et interdum etiam correctores violenter impendunt per multitudinem armatorum. Quod praedicti defectus contingunt frequentius testis est mundus" (f. 214).

The Catholic Conclusions end with a heartfelt appeal to the faithful not to be led astray by the errors and heresies of Wyclif and his followers :

"O fideles ecclesiae filii, o catholici christiani, o predestinati Dei electi, vos omnes adjuro per viscera misericordiae Jesu Christi et sub interminatione tremendi judicii divini, ut in premissis omnibus a predictae sectae erroribus et haeresibus continue caveatis et una mecum fidem communem ecclesiae firmiter teneatis, submittentes tamen nos humiliter iudicio ecclesiae et Jesu Christi generali vicario hic in terris, atque dicentes ei cum beato Ieronimo: Haec est fides, papa beatissime, quam in catholica didicimus ecclesia quamque tenuimus; in qua si minus perite aut parum caute forte aliquid positum est, emendari cupimus a te qui Petri et sedem tenes et fidem" (f. 217).

Rymyngton's "Dialogus inter Catholicam Veritatem et Haereticam Pravitatem" was written after Wyclif's death,¹ the author as Catholic Truth defending himself from points Wyclif had made in his reply, "ut judicare possit inter nos et contentionem dirimere sancta mater ecclesia seu congregatio cleri

¹ Bodleian MS. 158, ff. 188-97. Quia tamen doctor iste mortuus est, et ejus doctrina pestifera in variis scriptis et in quibusdam ignotis mihi suis discipulis perseverat. Wyclif died 31 December, 1384.

catholici, cujus iudicio semper humiliter me submitto, indubitanter vendicans veritatem catholicam pro parte mea, quam hic inspicere poterunt christiani fideles, ne per doctrinas erroneas seu haereticas inficiantur”.

The Sallay monk was severe on the unlicensed preachers who scoured the two provinces of Canterbury and York :

“Valde reprehensibiles sunt et puniendi pseudo praedicatores moderni qui sine auctoritate circuiunt provincias seminantes errores et haereses in populo christiano contra Romanam ecclesiam et contra apostolum (ad Romanos 10), ubi dicit, quomodo praedicabunt nisi mittantur; qui etiam proponunt sensum suum iudicio sanctae matris ecclesiae et relinquentes sectam suam miseram reprobant et assimilant apostatis legis Christi” (f. 188).

Rymyngton had no illusions as to the danger threatening the Catholic Church from Wyclif's sect :

“Clare patet de te et tuis discipulis, qui per erroneas et haereticas scripturas et praedicationes amplius, manifestius, praesumptuosius et mordacius pro posse vestro infestatis ecclesiam catholicam atque omnes status, gradus et ordines in ea, et specialiter de sacramento altaris, quam unquam fecit haereticorum aliqua secta praecedens, in tantum quod nisi de multis determinatio ecclesiae praecessisset, nunc fuisset fidelis populus subito nimis oppressus” (f. 194).

The explanation of Catholic doctrine concerning the Church, the Pope and the Blessed Sacrament was able and complete, the proofs of the Conclusions were set out in scholastic form, and the closely knit reasoning was supported by numerous references to Canon Law (of which Rymyngton showed a minute knowledge) and to the Fathers of the Church; yet his answer to Wyclif in the Dialogue was more striking, definite and to the point. No doubt it must have had an enormous effect on those who heard it delivered in the lecture hall or took the trouble to read it carefully. But, as now, mischievous doctrine reaches the multitude and the antidote only a few comparatively; feeling and sentiment and prejudice are too easy and powerful for quiet systematic reasoning, and especially

when nothing is taken on authority. A few grievances—and from the evidence of Rymyngton's sermons there were more than a few—can lead to a very distorted habit of reasoning and judging, to a chaos of opinion under a profession of reverential ignorance.

In the writings of Rymyngton, great defender of the Eucharist, there were manifest ability and sincerity, a zeal for Catholic truth at all times evident; and as chancellor, preacher, devotional writer, and controversialist he still makes an excellent witness both for the Cistercian Order of his time and the "studium generale" of the Catholic University of Oxford.¹

APPENDIX

HERETICAL AND ERRONEOUS CONCLUSIONS OF THE WYCLIFFITES²

Istae sunt in summa conclusiones haereticæ seu erroneæ quae nuper traxerunt in errorem multos simpliciter litteratos.

1. Quod repugnat statui domini papae civiliter dominari.
2. Quod repugnat statui cujuslibet christiani pontificis civiliter dominari.
3. Quod vitae apostolicae repugnat quaelibet dominatio civilis.
4. Quod omnes curati tenentur vivere sine proprio.
5. Quod solum ex titulo elemosinae laicorum habent clerici jus ad temporalia, et ideo licet laicis ipsa temporalia ab eis auferre habitualiter male viventibus.
6. Quod rex sive princeps terrenus habet potestatem judicandi papam et omnes ecclesiasticos de peccato, et consequenter puniendi eos per subtractionem temporalium.
7. Quod corpus Christi non est corporaliter nec substantialiter in sacramento altaris: sed sacramentaliter sive per modum signi.

¹ Etiam specialiter orare dignemini pro matre foecundissima clericorum, universitate videlicet Oxoniensi, quae proficere volentibus est quasi virtutis speculum, coelum stellatum illuminans mundum et originalis fons sapientiae, indesinenter emittens rivulos scientiae septiformis (Rymyngton's sermon of 1372).

² Oxford, Bodleian MS. 158, f. 199. In 1418 forty-five errors of John Wyclif, were condemned by the Council of Constance and two bulls of Martin V (Denzinger, *Enchiridion* (1932), 581 seq.).

8. Quod post consecrationem remanet substantia panis et vini eadem quae prius.

9. Quod in sacramento altaris non sunt accidentia sine subiecto.

10. Quod viventes in religione quacumque privata non sunt in religione christiana.

11. Quod omnis religio christiana est quacumque religione privata perfectior.

12. Quod perfectius foret omnes christianos sub uno abbate vivere secundum religionem christianam, quam per votum obedientiae ad privatos ordines obligari.

13. Quod quilibet religiosus aliquod praeceptum regulae suae transgrediens est apostata.

14. Quod quicumque sacerdos magis conformiter Christo vivit, est summus pontifex sive papa.

15. Quod sancti instituentes privatas religiones ex hoc peccaverunt.

16. Quod si quis conferat fratri praedicanti elemosinam, tam conferens quam recipiens est excommunicatus.

17. Quod non licet praelatis temporale dominium adquirere, nec debent vocari a populo domini.

18. Quod clericus existens in mortali peccato injuste occupat quicquid habet.

19. Quod peccatum mortale tollit a peccante omne jus ad utendum temporalibus prius habitis.

20. Quod nullus est prior vel cujuscumque dignitatis superior in ordine christiano dum fuerit in mortali peccato.

21. Quod domini temporales non possunt dare temporalia clericis, nisi sub conditione revocandi ea, si abutantur eisdem.

22. Quod rectificatio sacerdotum per laicos est per sacram scripturam multipliciter exemplata.

23. Quod decimae et oblationes sunt elemosinae laicorum et in libera potestate eorum, ut subtrahantur a curatis peccantibus et dentur quibuscumque voluerint.

24. Quod laici auferentes temporalia et decimas et oblationes a clericis peccantibus non debent curare de sententia excommunicationis eorum in hac parte.

25. Quod non licet curatis excommunicare quemquam pro ablatione temporalium.

26. Quod cuilibet debite contrito de peccatis est omnis confessio exterior superflua et inutilis.

THE CONCLUSIONS OF DOM WILLIAM OF RYMYNGTON
PLACED AGAINST THE AFORESAID ERRORS AND HERESIES.¹

Istae sunt conclusiones dompni Willelmi de Rymyngtona theologi de Sallay positae contra praedictos errores et haereses et probatae prout patet in subsequentibus seriatim:

1. Sicut Jesus Christus fuit in hac vita mortali perfectissime simul rex et sacerdos totius mundi, ita fuit correspondenter perfectissime simul dives et pauper.

2. Potestas sacerdotalis et regalis in Jesu Christo unita, est ad salutem humani generis summo pontifici et imperatori divisim divinitus commissa.

3. Ab hac summe perfecta sacerdotali et regali potestate derivantur omnes leges licitae mediate vel immediate.

4. Omnis lex quae legi Dei repugnat est illicita: quales sunt leges de duelli et usurae observantia.

5. Summus pontifex est vicarius Christi generalis ad nutriendam et confirmandam fidem et caritatem, atque ad purgandum et castigandum mortale peccatum.

6. Imperator sive rex est Jesu Christi minister seu vicarius specialis ad juste regendum temporalia sibi commissa, et ad adiuvandum ecclesiam cum ab ea requisitus fuerit contra pertinaciter malos, seu infringentes libertates et jura ecclesiastica.

7. Christus summus pontifex confortans homines sua presentia corporali manebit in ecclesia usque ad consummationem saeculi.

8. Licet corpus Christi non sit sub specie panis dimensionaliter, est tamen sub ea vere corporaliter et substantialiter.

9. Post consecrationem non remanet in sacramento substantia panis et vini: sed virtute verborum subito transubstantiatur in corpus vel sanguinem Jesu Christi.

10. Per Dei omnipotentiam in altaris sacramento manent accidentia sine subjecto.

11. Perfectio christianae vitae stat essentialiter in caritate.

12. Ex hoc est aliquis personaliter perfectior, quod in eo dilectio De propter se et proximi propter Deum est major.

13. In Jesu Christi et ejus apostolorum vita seu doctrina fundari poterit quaelibet secta licita seu religio christiana.

14. In capite Jesu Christi fuit perfectionis plenitudo excellentissima, quae juxta humanae capacitatis et utilitatis exigentiam particulariter diffunditur in mystici corporis sui membra.

¹ Bodleian MS. 158, ff. 199-200v.

15. Ordo monasticus in veteri testamento prophetatus et praefiguratus per doctrinam evangelicam evidentius est fundatus.

16. Ad diversae dispositionis humanae salutare remedium utiliter habet ecclesia multiplicem religionis modum.

17. Status sacrae religionis et quasi antonomastice dicte requirit tria ex voto solemnii seu regulari professione servanda.

18. Non quilibet transgrediens aliquod trium substantialium religionis: sed temere recedens a fide, corporaliter fugiens ab ordine vel pertinaciter contemnens jugum obedientiae dicitur apostata proprie.

19. Ex comparatione bonitatis trium substantialium religionis discreta, videbitur paupertas minima, castitas major et obedientia maxima.

20. Sicut voluntaria carentia temporalium est quibusdam dispositio seu facilitatio ad perfectionem, ita quibusdam divitiae temporales sunt instrumenta virtutum.

21. Licet status praelatorum ecclesiae sit aliis perfectior, et si bene reguletur meritorior, est tamen omnibus aliis periculosior.

22. Non quicumque sacerdos maxime conformiter Christo vivit est omni ecclesiae militanti pastor praefectus, sed solum qui consentit ad hoc postquam in papam canonice sit electus.

23. Status religiosi claustralis in bene regulato monasterio est status securissimus in hoc mundo.

24. Status religiosi claustralis ceteris paribus est perfectior, meritorior et securior quam status cujuscumque saecularis.

25. Quicumque aliquam approbatam religionem vel ejus institores ex hoc opere reprobant, sanctos Dei et eorum vitam atque doctrinam dampnabiliter blasphemant.

26. Sicut licitum est fratribus indigentibus mendicare, sic est valde meritorium potentibus eis liberaliter elemosinas dare.

27. Altissima paupertas evangelica consistit essentialiter in animo et non, nisi accidentaliter sive instrumentaliter, in temporalium inopia.

28. Nulli ex lege Dei sine proprio vivere tenentur, nisi qui voluntariam paupertatem voluntarie profitentur.

29. Tam vitae apostolicae quam paupertati evangelicae est aliquale civile dominium compossibile.

30. Licet in praelato sit dampnabile potestatem sive temporalia quaerere ex libidine dominandi, est tamen ei meritorium rerum ecclesiae dominium in communi regere ex desiderio fructus ejusdem fideliter dispensandi.

31. Licet propter reverentiam Dei et ecclesiae populus praelatis serviens sive subiectus licite vocet eos dominos suos, ipsi tamen se

ipsos dominos aestimare non debent, sed potius dispensatores vel servos inutiles sive ministros.

32. Licet praecipue non solum tamen clericus, sed quilibet christianus abutens temporalibus, si non se correxerit, aeternaliter est dampnandus.

33. Peccatum mortale etiam habitualiter continuatum non tollit omnem juris titulum a peccante ad utendum possessione sua priore.

34. Valde periculosum est et erroneum asserere quod nullus est prior vel cujuscumque dignitatis superior in ordine christiano, dum fuerit in mortali peccato.

35. Per quantumcumque malos praelatos seu sacerdotes catholicos dum tolerantur ab ecclesia veraciter et effectualiter confert Spiritus Sanctus omnia sacramenta.

36. Domini temporales valde meritorie dederunt et dare possunt temporalia Deo, ecclesiae et ejus ministris, atque pauperibus sine ulla conditione implicita vel explicita revocandi hujusmodi temporalia ad proprios seu laicales usus.

37. Licet in casu sit meritorium mundi principibus caritative corripere clericos temporalibus abutentes, peccant tamen dampnabiliter de tali abusu eorum sibi potestativum iudicium assumptes.

38. Rectificatio sacerdotum per laicos sine consensu cleri seu pontificis non est per scripturam authenticam exemplata, sed talis praesumpta correctio est authentice reprobata.

39. Nunquam licet laicis sine auctoritate ecclesiae decimas et oblationes a curatis peccantibus subtrahere.

40. Si domini temporales seu patroni tantum habiliores clericos promoverent et nullos corrigendos defensarent, ruinam modernam ecclesiae veresimiliter repararent.

41. Domini temporales merentur dampnationem aeternam, si contra jura canonica et leges imperiales seu regias auferant ab ecclesiasticis temporalia eis data in puras et perpetuas elemosinas.

42. Bene licet ecclesiae praelatis seu curatis excommunicare pro temporalibus injuste detentis, vel violenter seu furtive ablati.

43. Predicta secta per suam doctrinam sub specie pietatis, sub colore sanctitatis et sub imagine perfectionis latenter venenosam, quantum in se est inficit, dividit et confundit sacerdotium et regnum, praelatos et subditos, ac etiam principes et populos sibi subjectos.

44. Nulli debite contrito de peccatis suis est omnis confessio exterior superflua et inutilis.

45. Quicumque opposita praemissarum conclusionum contra Romanam ecclesiam pertinaciter asserit et defendit, semetipsum excommunicatum et haeticum evidenter ostendit.

JOSEPH McNULTY

THE MESSIAH

AN OLD TESTAMENT MEDITATION

ALTHOUGH we are still far even from Advent, we may find it helpful thus early to look backward for a while, in order to catch something of the Old Testament atmosphere, and indeed to contemplate the Old Testament at its best, not in Jewry as a whole, but in the various holy persons presented to us in the first two chapters of St Luke's gospel, including the Holy Family itself.

And first, after the manner of the Old Testament, let us begin by dwelling a little upon the names. "Joseph" I am always tempted to translate "encore". Rachel desired to have yet another son, and prayed, "May Jehovah give me yet again a son." She was given Benjamin, who was the death of her; which illustrates how little we sometimes know for what we are asking. Not that I purpose to dwell upon this side of the matter, but rather upon a certain likeness between the patriarch Joseph and the foster-father of Our Lord. We must not imagine Old Testament types at will, but here there appears to be sufficient warrant in Scripture and Tradition for calling the former a type of the latter.

A type is a *prophetia realis*, a prophecy or foreshadowing not in words but in actual fact, the anticipation in some person or thing or event of some person or thing or event to follow. Our Lord, for example, was signifying that Elias and St John the Baptist were mutual types, when he said that Elias was already come. The patriarch Joseph, if one may put it that way, is the chief hero of the Book of Genesis, and one of the most striking characters of the Old Testament, firm in his chastity, loyal to his masters, prudent in their service, forgiving to his brothers. He was empowered to interpret dreams; which reminds us that it was by dreams that divine guidance came to St Joseph. With such examples in Holy Scripture itself it hardly seems right that our Catholic children should be taught without qualification to speak of "charms, omens, dreams, and suchlike fooleries", although of course they may be discouraged from

themselves trusting to them. The patriarch was placed by Potiphar and by the Pharaoh over all they had, and proved faithful and wise; St Joseph was entrusted with a far greater treasure, the Mother and the Son, and he too was faithful to his trust. The patriarch was a well-watered and fruitful vine, whose tendrils spread along the wall, being the two powerful tribes of Ephraim and Manasseh; St Joseph was called by Our Lady, and therefore also by St Luke, the father (simply) of Him, in whom Jew and Greek and all mankind are one, unity with whom therefore is that great far-off event towards which creation moves. The Church, building upon this biblical foundation, encourages us much in her liturgy to see in the patriarch this manner of type.

Of Our Lady's name there are several explanations, which it is not to the purpose to discuss; but I venture to express a preference for one which also appears to be singularly suitable, namely, that of "lady". It is in any case, however, too uncertain for any emphasis. What is beyond doubt is that it is the same name as that of Aaron's sister, usually called Miriam, though the first vowel in the name was probably a later development, and in New Testament times Miriam was doubtless called "Maryam", like Our Lady herself.

Miriam and Aaron murmured against Moses, and the Lord struck her with leprosy, from which she was delivered only when Aaron had entreated Moses to pray for her (Num. xii). This punishment was to be remembered as an example (Deut. xxiv, 9); nevertheless her dignity was so great that the Lord could say to Israel through the prophet Micheas (Micah), "I brought thee up out of the land of Egypt, and delivered thee out of the land of bondage, and I sent before thee Moses and Aaron and [as the Douay Version reads] Mary" (Micah vi, 4). And after the crossing of the Red Sea we are told that she was a prophetess, and that she took a timbrel and led the women as they danced with their timbrels the stately dances of the East, and that she sang the while to them:

Sing ye to Jehovah, for He hath triumphed gloriously:
The horse and his rider He hath cast into the sea.

(Exod. xv, 21)

We may also safely assume from the sacred narrative that Miriam died a virgin. There does not appear to be sufficient warrant in Scripture or Tradition for calling her definitely a type of Our Lady, but at least we can say that no name could have brought out better the office and dignity of the Mother (so to call her) of the New Covenant than that of the mother (once more, so to call her) of the Old.

And so we come to our Blessed Saviour's own name, which was that of Josue or Joshua, the minister of Moses, who led the Chosen People into the promised land, and first established them therein. The oldest form of the name is *Yehoshua*, where the final hard breathing stands for the letter '*Ayin*, usually a stronger form of the cognate '*Aleph*, which is generally represented by the soft breathing. In the Old Testament itself it came to be shortened into *Yeshua*'; and it seems possible that already in New Testament times it had been shortened in colloquial use to *Yeshu*. In Greek and Latin, apart from some insignificant variations, it is *Jesus*; neither Greek nor Latin has the simple consonant usually represented in English by *sh*. The final *S* is added by way of a case-ending, while as usual with biblical names English writes a *J* where a *I* would be more accurate. The meaning of the name, seen of course more clearly in its fullest form, is "Jehovah (or, keeping more closely to what was probably the original form of the name, Yahweh) salvation": that is to say, Jehovah is salvation. Jehovah showed Himself to be salvation *through* Joshua, but *in* Jesus. Once again, there does not appear to be sufficient justification for speaking of Joshua as a type of Our Lord; once again we can see the supreme fitness of the name. It is Christ who leads us victoriously into the promised Kingdom, both in this world and into its consummation in heaven.

Nevertheless it was not mainly of Joshua and his battles that His Blessed Mother was thinking, but of the boyhood of the prophet Samuel, another of the greatest and most winning figures of the former Covenant: how his mother had been childless, how in answer to her burning prayer, spoken without sound by the lips as priests are wont to pray their breviary, the blessing of the high priest had rendered her fruitful: how the child had been consecrated to God from infancy, with the

earlier sanctuary at Shiloh for his home, even as her own Divine Son had celebrated what we may call His coming of age by insisting upon His right to be in His Divine Father's house. Anna's canticle of thanks is beautiful, but it is immeasurably exceeded by Mary's *Magnificat*, which is so clearly based upon it. And of her Child, as was recorded of the child Samuel, she tells us that He advanced in grace with God and men; in both cases the reference is primarily to the outward manifestation of what was within.

For the tale comes from Mary. Even the rationalist critics, with their craze for written documents, often admit that she is the ultimate source of St Luke's first two chapters; but at the very outset of his gospel he shows himself well aware of the importance of going to eyewitnesses for his information, and common sense compels us to suppose that he went to the best eyewitness of all for the opening of his story. From her he learnt how she had pondered these things in her heart, though without understanding them so fully as when she told him the tale. Incidentally St Luke is an interesting link between Our Lady and St Paul, who also made him his confidant. The beloved physician was of a sympathetic nature, and lets the tale or the teller dictate his style, which differs not a little according to the nature of the subject-matter. Here, we may be sure, he has caught from the Blessed Virgin something of her love and devotion for the Law of the Lord, according to which her beloved Son had been circumcised on the eighth day, and had been taken to the Temple to be redeemed at the time of her own purification. It is there, in the Holy Place, that the scene opens. Zachary, the venerable priest, had married her kinswoman, who (she takes care to mention) was of the daughters of Aaron; she knew them to be just before God, walking without blame in all the commandments and ordinances of the Lord. He was of the course of Abijah, and it had fallen to his lot to burn the incense in the sanctuary.

This was indeed, as I have said, the Old Testament at its best, when the line of Aaron issued in such a family, each of whom was privileged to receive a special revelation from God, while the son was ranked above all other human beings by the God-man Himself, who doubtless did not deem it necessary to

claim exception for Himself and His Blessed Mother. For the tribe of Judah had attained to an immeasurably greater dignity, when not only St Joseph, and the wife entrusted to him, were sprung from it, but also He who is over all, God blessed for ever. And there were others of lesser dignity, yet prophets also, Symeon, who was summoned to the Temple to see the fulfilment of the promise made to him, and to take the long-awaited Messiah in his arms; and the aged Anna, ever fasting and praying, to whom it was also given to recognize and proclaim Him. To complete the picture, we must turn back a little, and remember how Christ the Lord had been announced by angels to the shepherds, representing the devout peasantry of Judah, so much more akin in spirit to the Holy Family than high priests and scribes and pharisees; and the Magi, called from afar to be the firstfruits of the gentiles, so often summoned in the Old Testament to join in praise of Jehovah.

"My soul hath exulted in God my Saviour"; how overwhelming the ecstasy of joy, when Infinite Bliss had taken possession of her soul and body! The *Magnificat* is before all things a canticle of glad thanksgiving, all the more heartfelt because springing from so profound a humility. God hath exalted the lowly and filled the hungry; in the light of such expressions, and from the fact that the offering for Our Lady's purification was the offering of the poor, we may infer that her family was far from rich. Even her visit to St Elizabeth, if we may say so reverently, suggests a hardy peasant girl rather than one brought up in more comfortable circumstances. Christian art, it may be well to remember, is not photographic, but represents truths too spiritual to be caught directly by the outward eye.

The shadow of the Cross was to pass over her joy. Already St Joseph's perplexity must have been a trial to her, and the Saviour's birth in a manger; and now, after Symeon had welcomed in this Babe the Light unto the gentiles and the glory of Israel foretold by Isaiah, he could not stop there, but must proceed with the prophet to tell of suffering and sorrow, to declare that this Messiah was a sign that should be contradicted, and that His Blessed Mother was to be associated with Him in this sorrow: "thine own soul a sword shall pierce." The words were plain, but even so, when she repeated them to St Luke,

she understood far better their tremendous import. She had stood beneath the Cross,

Nevertheless the joy remained. For a very few years her Son was to work and teach among the Jews, but for a full thirty years she was to have Him, we may say, all to herself. His public ministry, in a sense, was a failure; this private ministry, if so we may call it, was His supreme success.

C. LATTEY, S.J.

PRIESTLY VIRTUES

IX. CHARITY

IT is unfortunate that sins against charity should so often be associated only with speaking ill of our neighbour. Frequently these weaknesses, formally considered, are sins of vanity or even idleness. Charity is something far greater than a careful watch over our tongues. It is first of all a love of God, the source of the contemplative life.

No doubt contemplation is an activity of the mind but it presupposes an application of the will. In order to see truth we must love it. In order to continue seeing it, we must continue loving it. Meditations, offices, cloisters may help us, but they cannot replace the yearning of love that should surround every enquiry after God. Regularity is a good thing: it supposes self-discipline, but it is not the essence of sanctity, neither should it become the principal aim of the priestly life. So many little souls have been hampered in their spiritual progress through undue worrying over exterior imperfections that often bring their own punishments with them.

Admittedly a certain order in one's life is necessary for the person who wishes to devote all his attention to God, since order establishes a silence in the soul that removes obstacles to the practice of the theological virtues. Passions blind the inward eye and turn it away from God. Carelessness over such things as the way in which we say Mass may be a minor vice, but it often reveals a laziness that cannot encourage contemplation.

St Augustine insists even more than St Thomas Aquinas upon the necessity of moral virtues in a life of charity. He is closer to Scripture than St Thomas. He bases his asceticism not so much upon the rational conception of order as upon the theological notion of God's living image to be restored in us after the ravages of sin. Before sin we were capable of seeing God because we were made to His likeness. After sin we must find once again that vision of God by uprooting from our souls the slightest sinful tendency. Once our spiritual faculties (our memory, understanding and will, the faculties by which we resemble God) have been completely detached from earthly things we shall be able to devote them to their original purpose; to the exercise of that contemplation which is a preamble to the beatific vision. Then the power of the Father, the truth of the Son and the love of the Holy Ghost will be truly reflected in us.

What is most striking in St Augustine's spirituality is that all asceticism and all acquisition of moral virtues are expressions of supernatural charity. It is because we wish to re-establish God's image in us that we rely so much upon His grace in this work of purification. We collaborate with Him in completing within us the Redemption, submitting our flesh to the spirit and our spirit to God. Thus the moral virtues, although belonging to the active life, assume a contemplative aspect because they are directly linked with the re-establishing of God's image.

St Augustine illustrates this point with the allegory of Lia and Rachel. We may work seven years, correcting ourselves of our faults, but we merit the hand only of Lia, the symbol of the active life. We have still to wait for Rachel, the gift of contemplation that is offered to those whose moral rectitude is inspired by charity.

This notion of charity differentiates St Augustine's teaching from that of his predecessors Plato and Plotinus. Pagan philosophers demanded physical separation from things of the flesh as though these were bad in themselves, insurmountable obstacles to contemplative activity. The pagan sought nothing but the satisfaction of his own intellectual faculties. He bothered no more about God than God was supposed to bother about him. There was little thought of humility, grace, prayer, or the cross

of Christ. The pagan reached not God but the inward depths of his own soul.

M. Maritain in *Les Degrés du Savoir* (p. 532) has explained how no true contemplation can belong to the natural order. Contemplation is a certain experience of God, but God can exist only within a soul in a state of charity. In order to taste God, source of all our life and supernatural activity, we must inspire everything we do with motives of pure charity. No doubt this supposes silence, calm and peace, but let us not forget that the experience of God is something belonging to a far higher order than that of self-discipline.

Nothing could be more important at the present day than this outlook on life. It is the answer to the modern "good man" who bases his ethics solely on a sense of values. It challenges the religiously inclined non-Catholic, constantly anxious to translate what he calls his experience of God into poetic meditations. It is a reminder to the poor priest anxious to build a school or a church, but not having a penny in his pocket. It is a lesson for the curate who cannot get the youngsters to come to his youth club.

Yet such spirituality as this can pose serious practical problems for the priest in intimate contact with the world. St Augustine affirms that each one of us should aim at contemplating God in His mysteries even during this life. He also stresses the necessity of rendering the soul a *hortus conclusus* so that God may be able to infuse His divine love into it. Yet how many ordinary men and women are in a position to enjoy these graces? It is a question not so much of education as of freedom from temptation. Ought the ordinary Catholic in the modern world—one who occasionally visits the cinema, the public house, or the dance-hall, goes to the sacraments fairly regularly, supports a collection or two, brings up his children as best he can—normally to experience God in the way that St Augustine implies? Sometimes it would seem that it must be so. But then, as one perceives the cankering influence of the present day mentality upon the most sincere souls, one is inclined to think that the only way to be a saint is to revolt radically against it. In our effort to encourage Catholic Action we teach that the highest graces of contemplation can be showered in the busiest

thoroughfares, and according to the doctrine of the Fathers we speak truly; but are not these graces normally meant only for the militants who forsake all? Can the priest preach the purest love of God from the pulpit of a Sunday morning, or must such elevated doctrine be conveyed only in the darkness of the confessional and spoken in a whisper to a chosen child of God who remembers nothing but a few distractions during prayer? A practical man might be inclined to choose the second of these alternatives. He would blame the times for a general lack of spiritual understanding and leave it at that. Given the present state of affairs perhaps a solution could be found in the establishing of retreat houses throughout the country, very much as the Youth Hostel Association has bought up old country houses for purposes of its work. I think small groups of Catholics would readily respond to a national drive in favour of quiet, restful week-end retreats. Perhaps only then shall we be able to train the mass in the art of prayer. Perhaps only then shall we be able to teach the true love of God.

SEBASTIAN REDMOND, A.A.

QUESTIONS AND ANSWERS

PAULINE PRIVILEGE: CONVERTS' MARRIAGES

Converts on being reconciled are usually baptized conditionally because their previous baptism is considered doubtful. Since they are doubtfully baptized, and the law favours the use of the Pauline privilege in doubtful issues, it would often help to unravel their marriage tangles if the Pauline privilege could be used. Why is this not permitted? (G.)

REPLY

Canon 1014: *Matrimonium gaudet favore iuris; quare in dubio standum est pro valore matrimonii, donec contrarium probetur, salvo praescripto can. 1127.*

Canon 1127: In re dubia privilegium fidei gaudet favore iuris.

S. Off., 10 June, 1937; *A.A.S.*, 1937, xxix, p. 305; *THE CLERGY REVIEW*, 1937, XIII, p. 317: In plenario conventu huius Supremae Sacrae Congregationis Sancti Officii, habito Feria iv, die 5 maii 1937, propositis dubiis:

(1) Utrum in matrimonio contracto a duobus acatholicis dubie baptizatis, in casu dubii insolubilis circa Baptismum, possit permitti alterutri parti ad Fidem conversae usus Privilegii Paulini vi can. 1127 Codicis Iuris Canonici? *Resp.* Negative

(2) Utrum in matrimonio contracto inter partem non baptizatam et partem acatholicam dubie baptizatam, in casu dubii insolubilis de Baptismo, possint Ordinarii alterutri parti ad Fidem Catholicam conversae permittere usum Privilegii Paulini vi can. 1127? *Resp.* Recurrendum ad S. Officium in singulis casibus.

(1) Before this reply of the Holy Office, there were a few canonists who were prepared to apply canon 1127 to two married converts whose previous baptism in some heretical sect was doubtful, either because it was uncertain whether they had ever been baptized or because the validity of its administration was uncertain.¹ The majority, however, were opposed to this view, relying on decisions of the Holy Office quoted by Payen, 5 June, 1853, and 18 December, 1872, and their reasons are easily understood. For if both baptisms are actually valid, the marriage is *ratum* and, being consummated, is absolutely indissoluble; the Church rightly declines to run the risk even of appearing to dissolve a marriage which might be by divine law indissoluble. If the marriage in question is between two unbaptized parties, the Pauline privilege may be stretched to its utmost limits, and doubts are solved in favour of the Christian, e.g. concerning the interpellations or the willingness of the infidel party to cohabit peacefully. Canon 1127 is a legal presumption which, in solving doubts concerning the use of the Pauline privilege, takes precedence over the presumption of canon 1014, but it may not be used when there is danger of breaking the divine law.

¹ References to these authors are in Vermeersch-Creusen, *Epitome* (1934), §437; Payen, *De Matrimonio*, §2269; *Apollinaris*, 1937, p. 334.

(2) The force of the second reply is merely to deny to Ordinaries the right to start a process for applying the Pauline privilege in cases where the baptism of only one party is doubtful, a right which the majority of canonists had formerly conceded.¹ For it is now completely certain that if one of the parties to a valid marriage is unbaptized the marriage is not *ratum*; it can be dissolved by the Holy See without any possible fear of infringing the divine law,² and it is a purely academic question whether the dissolution is effected by an extension of the Pauline privilege or by the use of the Papal power. In practice it means that the case being brought to the Holy Office, as directed in this reply, the Papal power of dissolution could be used *ad cautelam*.

(3) Converts are baptized conditionally because by divine law this sacrament is necessary for salvation. The doctrine given above does not conflict with this practice; on the contrary, it is in accordance with it, since a marriage which is ratified and consummated is necessarily indissoluble by divine law: when baptism is doubtful the Church baptizes conditionally because of the reverence due to this law, and for the same reason declines to sanction the use of the Pauline privilege.

MARRIAGE DELEGATION AND REGISTRATION

The parish priest of "A", who at present has only a school building not available on weekdays, assists at the marriages of his parishioners in a neighbouring parish church by courtesy of its rector "B". Must "B" give express delegation each time to "A"? In which parish register should the details be entered?

(R. E.)

REPLY

Canon 1095, §1: *Parochus et loci Ordinarius valide matrimonio assistunt . . . intra fines dumtaxat sui territorii.*

¹ Cf., in addition to the above references, *The Ecclesiastical Review*, October, 1937, p. 370.

² Cf. *THE CLERGY REVIEW*, 1932, IV, p. 503; 1940, XVIII, p. 263.

§2. Parochus et loci Ordinarius qui matrimonio possunt valide assistere, possunt quoque alii sacerdoti licentiam dare ut intra fines sui territorii matrimonio valide assistat.

Canon 1096, §1: Licentia assistendi matrimonio concessa ad normam can. 1095, §2, dari expresse debet sacerdoti determinato ad matrimonium determinatum, exclusis quibuscumque delegationibus generalibus, nisi agatur de vicariis cooperatoribus pro paroecia cui addicti sunt; secus irrita est.

Canon 1103, §1: Celebrato matrimonio, parochus vel qui eius vices gerit, quamprimum describat in libro matrimoniorum nomina coniugum . . . idque licet alius sacerdos vel a se vel ab Ordinario delegatus matrimonio adstiterit.

(i) Since "A" is not the *vicarius cooperator* of "B", express delegation is required for the validity of each marriage contracted within the limits of the parish of "B", even when the contracting parties are both domiciled in the parish of "A" and the parish priest of "A" is assisting at the marriage.

(ii) The details must be entered into the register of "B" by the parish priest of "B" or by the priest who is taking his place; "qui eius vices gerit" refers to an assistant priest of "B" or to a priest supplying for "B" during his absence. "A" may sign his own name in the register in the space supplied for the name of the priest assisting at the marriage. Unless local law directs otherwise in the above circumstances, there is no need for "A" to enter the details into his own marriage register as well. The entry in that of "B" suffices, though an entry is also to be made in the baptismal register of the place where the parties were baptized, and the obligation of seeing that this is done also belongs from canon 1103, §2 (*matrimonii parochus*), in our opinion, to the parish priest of "B". Cf. Chrétien, *De Matrimonio*, p. 373; Gougard, *De Matrimonio*, p. 283.

IRREGULARITY BEFORE THE AGE OF PUBERTY

Does the irregularity of canon 985.1 affect a boy who, after baptism and adherence to an heretical sect, was reconciled to the Church at the age of twelve together with the other members of his family? (F.)

REPLY

Canon 985.1: Sunt irregulares ex delicto: 1. Apostatae a fide, haeretici, schismatici.

Canon 988: Ignorantia irregularitatum . . . ab eisdem non excusat.

Canon 2200, §2: Posita externa legis violatione, dolus in foro externo praesumitur, donec contrarium probetur.

Canon 2230: Impuberes excusantur a poenis latae sententiae, et potius punctionibus educativis quam censuris aliisve poenis gravioribus vindicativis corrigantur . . .

Canon 15: Leges etiam irritantes et inhabilitantes in dubio iuris non urgent; in dubio autem facti potest Ordinarius dispensare, dummodo agatur de legibus in quibus Romanus Pontifex dispensare solet.

Notwithstanding certain general principles which might, perhaps, argue to the contrary, it is the established rule to seek dispensation from the irregularity arising from heresy even when good faith excuses from the formal sin; in the external forum guilt is presumed from canon 2200, §2. But there is some reason for doubting whether this applies to a boy who has not reached the age of fourteen. Though capable of committing a *delictum* after reaching the age of reason, the law treats him with leniency, excusing him in canon 2230 from incurring such penalties as censures. The irregularity of heresy is not, indeed, a censure, but the basis of both is a "delictum", and it could be held that impuberty should excuse from both. In the pre-Code law this point was in dispute,¹ and post-Code authors teach that it is still doubtful whether this irregularity is incurred before the age of puberty.² We think that the correct solution is to seek a dispensation *ad cautelam*, which, from canon 15, can be given by the Ordinary.

OMISSION OF WINE AT THE ABLUTIONS

The Ordinary of the diocese informed the clergy in 1942 that, for the duration of the war, water alone might be used for

¹ Cf. Gasparri, *De Sacra Ordinatione*, §202.

² Cappello, *De Sacra Ordinatione*, §501; Bouscaren-Ellis, *Canon Law*, p. 376.

both ablutions owing to the scarcity of wine. At the end of 1945 he informed them that all faculties granted for the duration of the war ceased at the end of 1945, except the dispensation from fasting and abstinence. Since wine is still scarce, may one continue to use water alone for both ablutions? (X.)

REPLY

Rit. Celebr. Missae, X, 5: . . . dicet secreto *Quod ore sumpsimus* etc. et super Altare porrigit calicem ministro in cornu Epistolae, quo vinum fundente se purificat: deinde vino et aqua abluit pollices . . .

Ordo Missae: Interim porrigit Calicem ministro, qui infundit in eo parum vini quo se purificat: deinde prosequitur *Corpus tuum* etc. Abluit et extergit digitos ac sumit abluitionem . . .

S.R.C., 12 May, 1944; *THE CLERGY REVIEW*, 1945, XXV, p. 44: . . . attentis hodiernis peculiaribus rerum adiunctis, iisque perdurantibus, benigne indulget (Sanctitas Sua) ut purificationes et abluiones calicis, quae in Missa, iuxta rubricas, cum vino primum et postea simul cum aqua peragendae sunt, sola aqua fieri possint iis in locis ubi, iuxta prudens Ordinarii iudicium, vini angustiae hodie habeantur, vel in posterum praevideantur.

(i) The rubric on using wine, even for the first abluition, is held by some writers to be merely directive, not preceptive, and accordingly not binding even under venial sin.¹ Others, more conservatively, distinguish between the first and second abluition, and hold that the first alone is preceptive. St Alphonsus, although his citations are largely at fault, seems to agree with the view, which appears to us correct, that even the omission of wine at the second abluition is venially sinful "si fiat sine dispensatione Pontificis". We think that the first abluition with wine certainly binds *sub levi* and that the opposite opinion is not probable, for the rubric in *Rit. Celebr. Missae*, X, 5, and in the *Ordo Missae*, is explicit. That the use of wine for the second abluition does not bind *sub levi* may be regarded as a probable

¹ Cappello, *De Sacramentis*, I, §819, d.; authors cited by St Alphonsus, *Theologia Moralit*, VI, §408.

opinion, if desired, for though wine is mentioned in *Rit. Celebr. Missae*, the rubric in *Ordo Missae* is silent on the point. For the first ablution, and *a fortiori* for the second, a proportionate reason will excuse one from not observing the rubric. Lack of wine is a good reason and, from the authorities cited, it will suffice even for the first ablution. But if the scarcity is habitual an indult must be obtained.

(ii) The issue of the indult, 12 May, 1944, seems to us a compelling reason, if any were needed, for the view that at least the first ablution is binding *sub levi*: there would be no need of an indult if one could omit it at all times without sin.

Since the Holy See leaves it to Ordinaries to decide whether the local scarcity justifies non-observance of the rubric, priests must obey the directions of their own Ordinaries. The Holy See granted the concession, not for the duration of the war, but as long as the scarcity of wine continued. In the instance cited above, however, the Ordinary using his right granted the indult to his clergy in 1942 for the duration of the war and withdrew it at the end of 1945: in our view, the clergy subject to that Ordinary may continue to use water alone for the second ablution, relying on the authorities given in (i); but for the first ablution the Ordinary must be requested to renew the indult, if any of the clergy find it habitually difficult to observe the rubric.

In dioceses where the Ordinary has not withdrawn the faculty, the indult is still in force, on the principles explained in this REVIEW, 1946, XXVI, p. 544.

DISPOSAL OF UNCONSUMED HOST

In practice what is the correct thing to do with a Host which has been removed from a sick person's tongue owing to his inability to swallow? (J. R.)

REPLY

De Defectibus, X, 14: Si Sacerdos evomat Eucharistiam, si species integrae appareant, reverenter sumantur, nisi nausea

fiat: tunc enim species consecratae caute separentur, et in aliquo loco reponantur, donec corrumpantur, et postea in sacrarium projiciantur. Quod si species non appareant, comburatur vomitus, et cineres in sacrarium mittantur.

Rituale Romanum, Tit. iv, cap. iv, n. 4: Potest quidem Viaticum brevi morituris dari non ieiunis; id tamen diligenter curandum est, ne iis tribuatur, a quibus ob phrenesim, sive ob assiduam tussim, aliumve similem morbum, aliqua indecentia cum iniuria tanti Sacramenti timeri potest.

Summa Theol., III, 83, 6, ad 7: . . . hoc tamen observandum est, quod ubicunque species integrae inveniuntur, sunt reverenter conservandae, vel etiam sumendae; quia manentibus speciebus, manet ibi corpus Christi, ut supra dictum est; ea vero in quibus inveniuntur, si commode fieri potest, sunt comburenda, cinere in sacrario recondito . . .

Though the rubrics on Communion *more laicorum* make no express reference to this contingency, all the commentators apply the directions contained in *De Defectibus*, from which it is clear that disposal by burning refers only to a rejected substance in which the Sacred Species cannot be discerned. Deliberately to burn what one discerns to be the Sacred Species is obviously sacrilegious; if it cannot be consumed, one must allow it to corrupt by natural processes. The situation described in the above question is equivalent to that in *De Defectibus* where the Sacred Species can be discerned.

The simplest and most expeditious method, if it can be done without nausea, is for the priest, after removing it from the tongue with his finger, to consume it himself: prevention of irreverence is one of the reasons which justify non-fasting Communion.

If this is not possible, the Sacred Species, after being removed with the finger, should be transferred to a piece of linen, e.g. the purificator, the lavabo cloth, or a clean handkerchief; failing a piece of linen, cotton wool or a piece of clean paper may be used.

The Sacred Species in its wrapping is taken back to the sacristy, and after separation from the wrapping, which is either purified or burned and placed in the sacrarium, it must be preserved till corrupt before being placed therein. The com-

mentators are not very helpful in describing this stage of the process, for it is well established that a dry host will remain uncorrupted for years in suitable conditions. Many recommend placing the sacred species in a small glass vessel containing a little water, on analogy with the purifying vase usually put near the tabernacle, the vessel being kept in a locked cupboard. Those, however, who have experimented with an unconsecrated host find that, even when placed in water, a softening of the substance occurs but not corruption. We should be extremely glad to hear from any priest who, on following the directions of the rubrics, has found the host corrupted after a reasonable time. One way out of the difficulty is suggested from a private reply of the *Congregation of Rites*, 19 February, 1909,¹ which directs that the particles collected from a ciborium used in communicating lepers need not be consumed by the celebrant in the ordinary way; they may be placed in a vessel containing water and cotton wool and burned immediately. By this procedure the particles, though present and uncorrupted, are no longer discernible, and it occurs to us that a rejected Host might be separated into small particles, and dealt with in the same way.

As noted in this REVIEW, 1940, XVIII, p. 344, the *piscina* or *sacrarium* provided in most sacristies, though suitable for the disposal of liquid, is not sufficiently large for receiving other sacred remains.² If the Sacred Species, after corruption has set in, cannot be placed in the sacristy *sacrarium* or in that of the baptistery, the only alternative, we suppose, must be to use a spot in the garden reserved for the purpose.

Distressing incidents of this kind may often be avoided by first giving the sick person, whose ability to swallow is in doubt, an unconsecrated particle before Holy Communion.³

TIME OF BEGINNING MASS

The diocesan *Ordo* gives the time of the aurora for different

¹ *Sylloge*, n. 14.

² Cf. Roulin, *Nos Églises*, pp. 639-43.

³ O'Kane-Fallon, *The Rubrics of the Roman Ritual*, n. 751.

periods of the year. May one hold that for private Masses this means legal time, e.g. double summer time during the summer of this year? (S.)

REPLY

Canon 31: *Salvis legibus liturgicis, tempus, nisi aliud expresse caveatur, supputetur ad normam canonum qui sequuntur.*

Canon 33, §1: *In supputandis horis diei standum est communi loci usui; sed in privata Missae celebratione . . . licet alia sit usualis loci supputatio, potest quis sequi loci tempus aut locale sive verum sive medium, aut legale sive regionale sive aliud extraordinarium.*

Canon 821, §1: *Missae celebrandae initium ne fiat citius quam una hora ante auroram vel serius quam una hora post meridiem.*

(i) The law on the computation of time is subject to many doubts and difficulties which have not been officially solved; moreover, even though no doubt may exist in a given place as to the legal hour for beginning Mass, the commentators are generous in sanctioning for appropriate reasons an advance of this hour.¹ Some, relying on reasonable custom, compute the aurora morally in the sense of it being that hour at which labourers rise for their daily work, e.g. 4 a.m.,² a reckoning which is, indeed, imperative in arctic regions which have long periods of perpetual night. Others, relying on the terms of the law, compute it physically in the sense that in regions where the aurora continues throughout the night there is no positive common law forbidding Mass from midnight.³ Either of these views may be followed, especially if sanctioned by custom.

(ii) But we do not know of any interpretation which justifies beginning Mass, say, two hours before the aurora, relying on

¹ Cf. Aertnys-Damen, *Theologia Moralis*, II, §229; Cappello, *De Sacramentis*, I, §794.

² Clacys-Bouuaert, *Jus Canonicum*, II, p. 84.

³ Génicot, *Theologia Moralis*, II, §236.

the application of canon 33, §1, to the hour specified in calendars as the aurora. If the law were that Mass may not begin before, say, 3 a.m., one could compute 3 a.m. on the basis of double summer time, which would be 1 a.m. true time. But since the law puts the aurora, a verifiable fact, as the basis of reckoning, one must ascertain the time in accordance with it: the calendar indicates, for example, 3 a.m. as the true time of the aurora in the middle of April, which is 5 a.m. in double summer time; it is unlawful to begin Mass in the middle of April before 4 a.m.

On the other hand the basis of the *terminus ad quem* is 12 midday, for the computation of which any of the methods mentioned in canon 33, §1, may be used for private Masses: in double summer time one may begin private Mass at 3 p.m. by reckoning 12 midday on the basis of the true time. Thus Van Hove: "*Hora a qua Missae celebratio inchoari potest determinatur per auroram, in qua nullus modus supputationis temporis usu venit: aurora est factum astronomicum . . . Terminus autem ad quem . . . supputari potest quocunque modo legitimo.*"¹

(iii) To conclude this excursion into doubts, the meaning of "private" Mass is a well established obscurity. It may mean in this context a Mass which is neither sung nor conventual, but bearing in mind the purpose of the law, which is the convenience of the public, the more common view is that "private" means a Mass not due to be celebrated at a certain time, and excludes all parochial Masses in whatever sense the word is to be understood.²

ST BLAISE CANDLES

Does one need a faculty for giving this blessing on 3 February? Where is the text to be found? What is the origin of the rite? (X.)

¹ *Commentarium Lovaniense*, I,iii, §290; cf. also, *Ephemerides Liturgicae*, 1929, p. 223, and Bouscaren-Ellis, *Canon Law*, p. 51.

² Van Hove, *op. cit.* p. 256.

REPLY

The older forms and ceremonies connected with giving this blessing are now abrogated. It must now be given, with unlighted candles, according to the text of the blessing and formula found amongst the "Benedictiones non Reservatae", n. 7, in the current Roman Ritual. As it is not a reserved blessing no faculty is needed, and it may be given not only on 3 February but also, for the convenience of the faithful, on the Sunday following. The authority for the foregoing statements may be consulted in this REVIEW, 1938, XIV, p. 172, and 1945, XXV, p. 126.

The Acts of the martyr are not authentic, but it appears from all the traditional accounts that he was Bishop of Sebaste in Armenia and was martyred at the beginning of the fourth century. He is said to have been a physician, and many cures, particularly of throat maladies, were attributed to his intercession. Undoubtedly he was extremely popular in the Middle Ages, as the liturgical blessing associated with his veneration bears witness.

E.J.M.

ROMAN DOCUMENTS

CANONICAL STATUS OF SECULAR
RELIGIOUS INSTITUTES

CONSTITUTIO APOSTOLICA

DE STATIBUS CANONICIS INSTITUTISQUE SAECULARIBUS CHRISTIANAE
PERFECTIONIS ADQUIRENDAE (A.A.S., 1947, XXXIX, p. 114).

PIUS EPISCOPUS

SERVUS SERVORUM DEI
AD PERPETUAM REI MEMORIAM

Provida Mater Ecclesia, quanto studio maternoque affectu contenderit, ut suae praedilectionis filios,¹ qui totam vitam Christo

¹ Pius XI, *Nuncium radiophonicum*, 12 Febr. 1931 (ad religiosos). Cfr. A.A.S., XXIII (1931), p. 67.

Domino mancipantes, Ipsum per viam consiliorum libere et ardue sequuntur, tam coelesti proposito et angelica vocatione¹ dignos iugiter redderet ac eorum vivendi rationem sapienter ordinaret, frequentissima Pontificum, Conciliorum, Patrum documenta et monumenta testantur, atque integer historiae ecclesiasticae cursus omnisque canonicae disciplinae ratio, ad nostra usque tempora, luculenter demonstrat.

Profecto, inde a primis rei christianae incunabulis, Christi² et Apostolorum doctrinam atque exempla ad perfectionem allicientia,³ Ecclesia reapse magisterio illustrare satagit, secure docendo qua ratione vita perfectioni dicata ducenda esset apteque componenda. Opera autem ministerioque suo ita impense plenam Christo dedicationem et consecrationem fovit et propagavit, ut primis temporibus communitates christianae consiliis evangelicis bonam terram semini paratam optimosque fructus secure promittentem ultro offerebant,⁴ pauloque post, ut ex Patribus Apostolicis et antiquioribus ecclesiasticis scriptoribus facile comprobari potest,⁵ in diversis ecclesiis vitae perfectionis professio adeo iam floruerit, ut ipsius sectatores, veluti ordinem classemque socialem variis nominibus—ascetarum, continentium, virginum, aliisque—clare recognitam et multis probatam atque honoratam,⁶ in ecclesiasticae societatis sinu inciperent constituere.

¹ Cfr. Tertullianus, *Ad uxorem*, lib. I, c. IV (M.L., 1, 1281); Ambrosius, *De virginibus*, I, 3, 11 (M.L. 16, 202); Eucherius Lugdun., *Exhortatio ad Monachos*, 1 (M.L. 50, 865); Bernardus, *Epistola CDXLIX* (M.L. 182, 641); id., *Apologia ad Guillelmum*, c. X (M.L. 182, 912).

² Mt. xvi, 24; xix, 10-12, 16-21; Mc. x, 17-21, 23-30; Lc. xviii, 18-22, 24-29; xx, 34-36.

³ 1 Cor. vii, 25-35, 37-38, 40; Mt. xix, 27; Mc. x, 28; Lc. xviii, 28; Act. xxi, 8-9; Apoc. xiv, 4-5.

⁴ Lc. viii, 15; Act. iv, 32, 34-35; 1 Cor. vii, 25-35, 37-38, 40; Eusebius, *Historia ecclesiastica*, III, 39 (MG. 20, 297).

⁵ Ignatius, *Ad Polycarp.*, V (MG. 5, 724); Polycarpus, *Ad Philippen.*, V, 3 (MG. 5, 1009); Iustinus Philosophus, *Apologia I pro christianis* (MG. 6, 349); Clemens Alexandrinus, *Stromata* (MG. 8, 224); Hyppolytus, *In Proverb.* (MG. 10, 628); id., *De Virgine Corinthiaca* (MG. 10, 871-874); Origenes, *In Num.*, hom. 2, 1 (MG. 12, 590); Methodius, *Convivium decem virginum* (MG. 18, 27-220); Tertullianus, *Ad uxorem*, lib. I, c. VII-VIII (M.L. 1, 1286-1287); id., *De resurrectione carnis*, c. VIII (M.L. 2, 806); Cyprianus, *Epistola XXXVI* (M.L. 4, 327); id., *Epist. LXII*, II (M.L. 4, 366); id., *Testimon. adv. iudaeos*, lib. III, c. LXXIV (M.L. 4, 771); Ambrosius, *De viduis*, II, 9 et sqq. (M.L. 16, 250-251); Cassianus, *De tribus generibus monachorum*, V (M.L. 49, 1094); Athenagoras, *Legatio pro christianis* (MG. 6, 965).

⁶ Act. xxi, 8-10; cfr. Ignatius Antioch., *Ad Smyrn.*, XIII (MG. 5, 717); id., *Ad Polyc.*, V (MG. 5, 723); Tertullianus, *De virginibus velandis* (M.L. 2, 935 sqq.); id., *De exhortatione castitatis*, c. VII (M.L. 2, 922); Cyprianus, *De habitu virginum*, II (M.L. 4, 443); Hieronimus, *Epistola LVIII*, 4-6 (M.L. 22, 582, 583); Augustinus, *Sermo CCXIV* (M.L. 38, 1070); id., *Contra Faustum Manichaeum*, lib. V, c. IX (M.L. 42, 226).

Saeculorum decursu, Ecclesia Christo Sponso fidelis sibi que semper constans, sub Spiritu Sancti ductu, continuato certoque incessu, usque ad conditum hodiernum Canonici Iuris Codicem status perfectionis disciplinam pedetemptim evolvit. In illos materne inclinata, qui animo volenti diversis formis externe ac publice vitae perfectionem profitebantur, eisdem omnimodis in tam sancto proposito, duplici respectu favere numquam destitit. Singularem in primis, semper tamen coram Ecclesia et publica ratione factam, perfectionis professionem—ut priscam illam ac venerandam, quae liturgice peragebatur, virginum benedictionem et consecrationem¹—Ecclesia ipsa non solum recepit ac recognovit, sed sapienter sanxit strenueque defendit, plures etiam eidem attribuens canonicos effectus. Praecipuus tamen Ecclesiae favor diligentiorque cura, erga illam perfectionis plenam professionem strictius publicam, a primis temporibus, post pacem constantinianam adeptam, iure meritoque conversa sunt atque exercita, quae in societatibus collegiisque emittebatur ex ipsius venia, approbatione, iussu, erectis.

Quam arcte atque intrinsece, historia sanctitatis Ecclesiae et apostolatus catholici, cum historia fastisque vitae religiosae canonicae, Spiritus Sancti iugiter vivificantis gratia, mira varietate in dies subrescentis et nova magis magisque altiore atque firmiore unitate roboratae, coniuncta sit, in comperto apud omnes est. Nihil mirum, si Ecclesia, etiam in iuris provincia, agendi rationem fideliter retinens, quam providens Sapientia Dei clare innuebat, ita statum canonicum perfectionis, consulto prosequuta fuerit et ordinaverit, ut iure meritoque supra ipsum, aedificium ecclesiasticae disciplinae, tamquam supra unum ex angularibus lapidibus supraaedificare voluerit. Hinc, in primis status publicus perfectionis inter tres praecipuos ecclesiasticos status recensitus fuit, atque ex ipso Ecclesia secundum personarum canonicarum ordinem gradumque unice petivit (c. 107). Res sane digna quae attente ponderetur: dum alii duo canonicarum personarum ordines, scilicet clericorum et laicorum, divino iure, cui ecclesiastica adiungitur institutio (cc. 107 108, §3), ex Ecclesia petuntur, quatenus ipsa est Societas hierarchice constituta et ordinata; haec media, inter clericos et laicos, religiosorum classis, quae utrisque clericis et laicis communis esse potest (c. 107), ex arcta peculiarique relatione ad Ecclesiae finem, sanctificationem nempe, efficaciter, rationibusque adaequatis prosequendum, tota desumitur.

Neque haec fuerunt satis. Ne professio publica ac sollemnis sanc-

¹ Cfr. Optatus, *De schismate donatistarum*, lib. VI (ML. II, 1071 sqq.); Pontificale Romanum, II: *De benedictione et consecratione virginum*.

titatis frustraretur atque in cassum cederet, Ecclesia, hunc canonicum perfectionis statum, semper maiore rigore in societatibus recognoscere tantum voluit ab ipsa erectis atque ordinatis, scilicet in Religionibus (c. 488, 1°), quarum generalis forma et ratio, post maturum lentumque examen, magisterio suo probaverat, quorum in singulis casibus institutum atque statuta non solum doctrinaliter et abstracte, semel iterumque ad trutinam revocaverat, sed facto et reapse experta erat. Haec in iure Codicis ita sunt severe et absolute definita, ut nullo in casu, ne per exceptionem quidem, admittatur canonicus status perfectionis, nisi ipsius professio in Religione emittatur ab Ecclesia approbata. Denique, canonica status perfectionis, qua status publici, disciplina, ita ab Ecclesia sapienter ordinata fuit, ut pro Religionibus clericalibus, in illis generatim, quae clericalem religiosorum vitam respiciunt, Religiones vice dioeceseos fungerentur, et adscriptio Religioni, incardinationis clericalis dioecesi locum obtineret (cc. 111, §1, 115, 585).

Postquam Codex Pianus-Benedictinus, in Parte Secunda Lib. II Religiosis dicata, diligenter collecta, recognita, atque accurate expolita Religiosorum legislatione, statum canonicum perfectionis, sub respectu etiam publico, multipliciter confirmaverat atque inceptum opus Leonis XIII f. m. in sua immortalis Constitutione "Conditae a Christo"¹ sapienter perficiendo, Congregationes votorum simplicium inter stricte sumptas Religiones admiserat, nihil in disciplina status canonici perfectionis addendum esse videbatur. Ecclesia tamen, magna qua gaudet animi mentisque largitate, tractuque vere materno, brevem titulum legislationi religiosae, veluti peropportuni complementi gratia, adiungendum censuit. In ipso (tit. XVII, Lib. II) ad statum canonicum perfectionis, satis plene Ecclesia equiparare statuit Societates, de ipsa et frequenter etiam de civili societate optime meritas, quae quamvis aliquibus iuridicis sollemnitatibus ad statum perfectionis canonicum completum necessariis, ut votis publicis (cc. 488, 1° et 7°; 487), carerent, tamen in ceteris quae ad vitam perfectionis substantialia reputantur, veris Religionibus arcta similitudine et veluti necessitate coniunguntur.

His omnibus sapienter, prudenter ac peramanter ordinatis, amplissime provisum fuerat animarum multitudini, quae relicto saeculo amplecti cuperent novum statum canonicum stricte dictum, perfectioni acquirendae unice atque ex integro consecratum. Verum benignissimus Dominus, qui absque personarum acceptione,² omnes fideles semel iterumque ad perfectionem ubique sequendam et

¹ Const. *Conditae a Christo Ecclesiae*, 8 Dec. 1900: cfr. Leonis XIII *Acta*, vol. XX, pp. 317-327.

² 2 Par. xix, 7; Rom. ii, 11; Eph. vi, 9; Col. iii, 25.

exercendam invitavit,¹ mirabili Divinae suae Providentiae consilio disposuit ut etiam in saeculo, tot vitiis depravato, nostris praecipue temporibus, plures floruerint ac floreat animarum selectarum copiae quae, nedum perfectionis individualis studio aestuent, sed peculiari Dei vocatione in mundo manentes, optimas novas invenire possint Consociationum formas, temporum necessitatibus apprime respondentes, in quibus vitam ducere queant adquirendae christianae perfectioni admodum consentaneam.

Spiritualium Moderatorum prudentiae ac studio ex animo commendantes, singulorum nobiles perfectionis conatus, in foro interno, de Associationibus nunc solliciti sumus quae coram Ecclesia in foro, uti dicitur, externo ad vitam solidae perfectionis proprios sodales quasi manu ducere satagunt atque nituntur. Non tamen de omnibus Consociationibus hic quaestio est, quae in saeculo perfectionem christianam sincero corde sectantur, sed iis tantum, quae in interna constitutione, in hierarchica regiminis ordinatione, in plena nullisque aliis vinculis limitata deditione, quam a membris proprie dictis requirunt, in consiliorum evangelicorum professione, in ratione denique ministeria et apostolatam exercendi, propius quoad substantiam accedunt ad status canonicos perfectionis, ac speciatim ad Societates absque votis publicis (tit. XVII), quamvis non vita communi religiosa, sed aliis externis formis utantur.

Hae Consociationes, quae inde "Institutorum saecularium" nomine venient, non sine speciali Divinae Providentiae afflatu, primo elapsi saeculi dimidio condi ceperunt, ut fideliter "consilia evangelica in saeculo sequerentur et caritatis officia maiore libertate obirent, a quibus per temporum nequitiam exercendis, religiosae familiae aut paene aut omnino prohibebantur".² Cum antiquiora eiusmodi Instituta bonum de se specimen dederint, et operibus factisque satis semperque magis comprobarent per severam prudentemque suorum sodalium selectionem, per accuratam satisque longam eorum formationem, per adaequatam, firmam simul et agilem vitae ordinationem, etiam in saeculo peculiari Dei vocatione favente, divinaeque gratiae auxilio, obtineri certo posse satis strictam atque efficacem suipsius, non internam tantum sed externam et fere religiosam, Domino consecrationem, et instrumentum valde opportunum penetrationis et apostolatus haberi, hac multiplici de causa "istae fidelium Societates, non secus ac verae religiosae Congregationes a Sancta Sede laudatae" non semel fuerunt.³

¹ Mt. v, 48; xix, 12; Col. iv, 12; Iac. i, 4.

² S.C. Episcoporum et Regularium dec. *Ecclesia Catholica*, d. 11 Augusti 1889: cfr. *A.S.S.*, XXIII, 634.

³ *Ibid.*

Ex felici horum Institutorum incremento in dies clarius apparuit quam multiplici respectu eadem in efficax Ecclesiae et animarum subsidium verti possent. Ad vitam perfectionis semper et ubique serio ducendam; ad ipsam etiam in pluribus casibus amplectendam in quibus vita religiosa canonica possibilis vel conveniens non erat; ad impensam familiarum, professionum ac civilis societatis christianam renovationem per contactum intrinsecum et quotidianum cum vita perfecte et omnino sanctificationi consecrata; ad multiformem apostolatum et ad ministeria exercenda locis, temporibus et rerum adiunctis sacerdotibus religiosisque vetitis, vel imperviis, haec Instituta adhiberi et converti facile possunt. Ex adverso, experientiâ comprobatum est difficultates ac pericula non defuisse, quae haec perfectionis vita libere ducta, et absque externo religiosae vestis subsidio, communisque conviventiae auxilio, absque vigilantia Ordinariorum, a quibus reipsa facile ignorari poterat, Superiorumque, qui non raro longe aberant, interdum, immo et faciliter secum ferebat. Disputari etiam coeptum fuit de natura iuridica horum Institutorum, et de Sanctae Sedis mente in illis approbandis. Heic opportunum ducimus mentionem facere illius Decreti "Ecclesia Catholica", quod Sacra Congregatio Episcoporum et Regularium edidit, et die xi mensis Augusti a. MDCCCLXXXIX a Decessore Nostro immem. Leone XIII confirmatum fuit.¹ In ipso non vetabatur horum Institutorum laudatio et approbatio, edicebatur tamen Sacram Congregationem, quando haec Instituta laudabat vel approbat, ea voluisse laudare et approbare, non quidem ut Religiones votorum solemnium, aut veras religiosas Congregationes votorum simplicium, sed tantum ut pias sodalitates, in quibus, praeter alia, quae iuxta hodiernam Ecclesiae disciplinam desiderantur, religiosa professio proprie dicta non emittitur, sed vota, si quae fiant, privata censentur, non publica, quae nomine Ecclesiae a legitimo Superiore acceptantur. Haec insuper sodalitia—ita addebat Sacra eadem Congregatio—, sub hac essentiali conditione laudantur vel approbantur, quod plene perfecteque Ordinariis innotescant cuiusque suis, ac eorum omnino subsint iurisdictioni. Haec Sacrae Congregationis Episcoporum ac Regularium praescripta ac declarationes, ad effingendam naturam horum Institutorum opportune contulerunt, eorumque evolutionem atque progressum ordinaverunt quin tamen impedirent.

Nostro hoc saeculo Instituta saecularia multiplicata silenter sunt, pluresque, satis inter se diversas, formas sive autonomas, sive diversimode Religionibus Societatibusve unitas induerunt. De ipsis

¹ Ibid.

nihil cavit Apostolica Constitutio "Conditae a Christo", quae tantum de Congregationibus religiosis fuit sollicita. Codex etiam Iuris Canonici consulto de his Institutis siluit, et quae pro ipsis essent constituenda, cum adhuc matura non viderentur, reliquit futurae legislationi.

Haec omnia Nobiscum, pro conscientiae Nostrae officio, et pro paterna illa dilectione qua erga animas ferimur, quae in saeculo tam generose sanctitatem sectantur, semel iterumque considerantes; itemque eo consilio ducti ut sapiens nempe ac severa fieri valeat Societatum discriminatio, illaque tantum ut vera Instituta agnoscantur, quae plenam perfectionis vitam authentice profiteantur; ut pericula vitentur erectionis novorum semper Institutorum—quae non raro imprudenter atque inconsulto conduntur—; ut illa autem Instituta, quae approbationem mereantur, talem obtineat peculiarem iuridicam ordinationem, quae eorum naturae finibus, adiunctis apte pleneque respondeant, id ipsum pro Institutis saecularibus perficere cogitavimus ac decrevimus, quod im. mem. Decessor Noster Leo XIII pro Congregationibus votorum simplicium per Apostolicam Constitutionem "Conditae a Christo" tam prudenter atque sapienter praestitit. Igitur statutum generale Institutorum saecularium, quod a Suprema Sacra Congregatione Sancti Officii ad competentiam suam quod spectat, examinatum diligenter fuerat et a Sacra Congregatione de Religiosis accurate, iussu ductoque Nostro, ordinatum ac expolitum fuit, per praesentes has Litteras approbamus; atque ea omnia, quae sequuntur, Apostolica auctoritate Nostra declaramus, decernimus ac constituimus.

Hisce autem ut supra constitutis, ad ea omnia executioni mandanda Sacram Congregationem de Religiosis deputamus, cum omnibus facultatibus necessariis atque opportunis.

Lex peculiaris Institutorum saecularium

Art. I

Societates, clericales vel laicales, quarum membra, christianae perfectionis acquirendae atque apostolatum plene exercendi causa, in saeculo consilia evangelica profitentur, ut ab aliis fidelium communibus Associationibus (Pars Tertia, Lib. II, C. I. C.) apte distinguantur, Institutorum seu Institutorum saecularium proprio nomine veniunt, atque huius Constitutionis Apostolicae normis subiiciuntur.

Art. II

§1. Instituta saecularia, cum nec tria publica religionis vota (cc. 1308, §1, et 488, 1°) admittant, nec communem vitam seu commorationem sub eodem tecto suis membris, ad normam canonum, imponant (cc. 487 sqq. et 673 sqq.):

1° Iure, ex regula, nec sunt nec proprie loquendo dici queunt Religiones (cc. 487 et 488, 1°) vel Societates vitae communis (c. 673, §1);

2° Religionum aut Societatum vitae communis proprio peculiarique iure non obligantur, neque ipso uti possunt, nisi quatenus aliquod huius iuris praescriptum, illius praecipue quo Societates absque votis publicis utuntur legitime ipsis, per exceptionem, accommodatum fuerit atque applicatum.

§2. Instituta, salvis communibus iuris canonici normis quae ipsa respiciant, tamquam proprio iure, peculiari eorum naturae et conditioni arctius respondentem, his praescriptis reguntur:

1° Generalibus huius Constitutionis Apostolicae normis, quae omnium Institutorum saecularium veluti proprium statutum constituunt;

2° Normis quas Sacra Congregatio de Religiosis, prout necessitas ferat atque experientia suffragetur, sive Constitutionem Apostolicam interpretando sive ipsam perficiendo atque applicando pro omnibus vel pro aliquibus ex his Institutis edere censuerit;

3° Particularibus Constitutionibus, ad normam Articulorum qui sequuntur (Art. V-VIII), approbatis, quae generales iuris atque peculiare supra descriptas normas (nn. 1° et 2°), singulorum Institutum finibus, necessitatibus, adiunctis, non parum inter se diversis, prudenter accommodent.

Art. III

§1. Ut aliqua pia fidelium Consociatio, ad normam Articulorum qui sequuntur, erectionem in Institutum saeculare consequi valeat, haec (§§2-4), praeter alia communia, habeat necesse est requisita:

§2. Quoad vitae consecrationem et christianae perfectionis professionem.

Sodales, qui ut membra strictiore sensu sumpta, Institutis adscribi cupiunt, praeter illa pietatis et abnegationis exercitia, quibus omnes, qui ad perfectionem vitae christianae adspirant, incumbant

necesse est, ad ipsam peculiaribus etiam rationibus, quae hic recensentur, efficaciter tendere debent:

1° Professione nempe coram Deo facta coelibatus et castitatis perfectae, quae voto, iuramento, consecratione in conscientia obliganti, ad normam Constitutionum, firmetur;

2° Obedientiae voto vel promissione, ita ut stabili vinculo ligati totos Deo et caritatis seu apostolatus operibus se dedificent, et in omnibus sub manu et ductu semper moraliter sint Superiorum, ad normam Constitutionum;

3° Paupertatis voto vel promissione, vi cuius bonorum temporalium usum non liberum habeant, sed definitum ac limitatum, ad normam Constitutionum.

§3. Quoad incorporationem Sodalium Instituto proprio et quoad vinculum ex ipsa ortum.

Vinculum quo Institutum saeculare et ipsius membra, proprie dicta, inter se coniungi oportet, debet esse:

1° Stabile, ad normam Constitutionum, sive perpetuum sive temporarium, elapso tempore renovandum (c. 488, 1°);

2° Mutuum ac plenum, ita ut, ad normam Constitutionum, sodalis se totum Instituto tradat, et Institutum de Sodali curam rat atque respondeat.

§4. Quoad communes Institutorum saecularium sedes ac domos.

Instituta saecularia, etsi communem vitam seu commorationem sub eodem tecto suis membris ad normam iuris non imponant (Art. II, §1), tamen pro necessitate, vel utilitate unam vel plures communes domos habere oportet, in quibus:

1° Residere valeant qui Instituti regimen, supremum praecipue vel regionale, exercent;

2° Commorari vel ad quas convenire queant Sodales, ad institutionem accipiendam et complendam, ad exercitia spiritualia peragenda et ad alia huiusmodi;

3° Recipi possint Sodales, qui ob infirmam valetudinem, vel ob alia rerum adiuncta sibi providere non valeant, vel quibus non expediat, ut apud se vel apud alios ipsi privatim remaneant.

Art. IV

§1. Instituta saecularia (Art. I) a Sacra Congregatione de Religiosis dependent, salvo iuribus Sacrae Congregationis de Propaganda Fide, ad normam c. 252, §3, quoad Societates et Seminararia Missionibus destinata.

§2. Consociationes, quae rationem non habent seu plene finem non profitentur in Art. I descriptum, illaeque etiam, quae aliquo ex elementis carent in Art. I et III huius Constitutionis Apostolicae recensitis, iure reguntur Associationum fidelium, de quibus in cc. 684 sqq. et a Sacra Congregatione Concilii dependent, salvo praescripto c. 252, §3, quoad territoria Missionum.

Art. V

§1. Instituta saecularia Episcopi, non autem Vicarii Capitulares vel Generales condere et in personam moralem, ad normam c. 100, §§1 et 2, erigere possunt.

§2. Ea tamen Instituta Episcopi ne condant neque condi sinant, inconsulta Sacra Congregatione de Religiosis, ad normam c. 492, §1 et Art., qui sequitur.

Art. VI

§1. Ut Episcopis, de erectione Institutorum ad normam Art. V, §2, in antecessum consulentibus, Sacra Congregatio de Religiosis licentiam concedat eadem erigendi, de iis, congrua congruis ipsius iudicio referendo, edoceri debet, quae pro erectione Congregationis Societatisve vitae communis iuris dioecesani in Normis ab eadem Sacra Congregatione impertitis definiuntur (nn. 3-5) atque de aliis quae ex stilo et praxi eiusdem Sacrae Congregationis inducta sunt, vel in posterum inducentur.

§2. Obtenta ab Episcopis Sacrae Congregationis de Religiosis licentia, nihil obstat quominus, ipsi iure proprio uti libere possint et erectionem peragere. De erectione peracta officiale nuntium eidem Sacrae Congregationi Episcopi mittere ne omittant.

Art. VII

§1. Instituta saecularia, quae approbationem vel laudis decretum a Sancta Sede consequuta fuerint, iuris pontificii efficiuntur (cc. 488, 3°; 673, §2).

§2. Ut Instituta saecularia iuris dioecesani laudis vel approbationis decretum consequi valeant, illa generatim, congrua congruis Sacrae Congregationis de Religiosis iudicio referendo, requiruntur quae ex Normis (nn. 6 sqq.) et ex eiusdem Sacrae Congregationis

stilo ac praxi pro Congregationibus et Societatibus vitae communis praescripta et definita sunt, vel in posterum definientur.

§3. Ad horum Institutorum eorumque Constitutionum primam, ulteriorem, si casus ferat, ac definitivam approbationem ita procedatur:

1° Causae, de more paratae et unius saltem Consultoris voto ac dissertatione illustratae, in Consultorum Commissione, sub ductu Exc^{mi} eiusdem Sacrae Congregationis Secretarii aliusve ipsius vices gerentis, prima fiet disceptatio;

2° Inde res tota, praeside E^{mo} Sacrae Congregationis Cardinali Praefecto, atque invitatis ad causam diligentius excutiendam, prout necessitas seu utilitas suggerat, peritis seu peritioribus Consultoribus, pleni Sacrae Congregationis Congressus examini ac decisioni subiiciatur;

3° Congressus resolutio ab E^{mo} Cardinali Praefecto vel ab Exc^{mo} Secretario Audientia S^{mo} Domino referenda Ipsiusque supremo iudicio submittenda erit.

Art. VIII

Instituta saecularia, praeterquam propriis, si quae adsint vel in posterum ferentur legibus, ad normam iuris pro non exemptis Congregationibus et Societatibus vitae communis vigentis, Ordinariis locorum subiecta sunt.

Art. IX

Regimen internum Institutorum saecularium hierarchice ad instar regiminis Religionum et Societatum vitae communis, congrua congruis eiusdem Sacrae Congregationis iudicio referendo, pro ipsorum Institutorum natura, finibus, et adiunctis ordinari potest.

Art. X

Quoad iura et obligationes Institutorum, quae condita iam sunt et ab Episcopis, consulta Sancta Sede, vel ab ipsa Sancta Sede fuerunt approbata, hac Constitutione Apostolica nihil immutatur.

Haec edicimus, declaramus ac sancimus, decernentes pariter Apostolicam hanc Constitutionem firmam, validam et efficacem semper esse ac fore, suosque plenos et integros effectus sortiri atque

obtinerē, contrariis quibuscumque non obstantibus, peculiarissima etiam mentione dignis. Nulli igitur hominum liceat hanc Constitutionem a Nobis promulgatam infringere, vel eidem temerario ausu contraire.

Datum Romae, apud Sanctum Petrum, die 11 Februarii, Purificationis Beatae Virginis Mariae sacra, anno MDCCCXXXVII, Pontificatus Nostri octavo.

PIUS PP. XII.

PAPAL COMMISSION FOR SECULAR INSTITUTES

SACRA CONGREGATIO DE RELIGIOSIS

DECRETUM (A.A.S., 1947, XXXIX, p. 131)

Publici iuris iam facta Constitutione Apostolica *Provida Mater Ecclesia*, omnia diligenter parare oportet quae ad ipsius interpretationem, applicationem, complementa, necessaria seu opportuna videntur. Ideo ex Audientia Ss^{mi}, habita ab infrascripto Cardinali huius Sacrae Congregationis Praefecto die 24 vertentis mensis Martii, specialis Commissio iurisperitorum instituitur, quae Sacrae Congregationi in illis omnibus assideat, quae ad legislationem Instituta saecularia quoquo modo respicientem et ad ipsorum Institutorum approbationem atque evolutionem spectant.

Commissarii, quibus alii, prout necessitas vel utilitas suggerat, addentur, sequentes Rev^{mi} Patres recensentur:

Rev^{mus} P. Emmanuel Suárez, Magister Generalis Ordinis Praedicatorum;

Rev^{mus} P. Ioseph Grendel, Superior Generalis Congregationis Verbi Divini;

Rev^{mus} P. Agatangelus a Langasco, Procurator Generalis Ordinis Fratrum Minorum Capuccinorum;

Rev^{mus} P. Ioseph Creusen, S. I., in Pontificia Gregoriana Universitate Iuris Canonici Professor;

Rev^{mus} P. Servus Goyeneche, C. M. F., Professor Iuris Canonici in Pontificio Athenaeo Utriusque Iuris Lateranensi;

Rev^{mus} D. Alvarus del Portillo, Procurator Generalis Instituti saecularis "Opus Dei", *a secretis*.

Datum Romae, ex Aedibus Sacrae Congregationis de Religiosis, die 25 Martii 1947.

✠ A. Card. Lavitrano, *Praefectus*

† Fr. L. H. Pasetto, Archiep. tit. Iconien, *Secretarius*.

BOOK REVIEWS

John Wildman, Plotter and Postmaster—A Study of the English Republican Movement in the Seventeenth Century. By Maurice Ashley. Pp. 319. (Jonathan Cape. 15s.)

MR. ASHLEY has provided in this book a clear account of the ideas and activities of an interesting figure of the seventeenth century: Sir John Wildman, known to his associates as "the Major". But, as its sub-title suggests, this work covers a wider field than the biography of one man. It is in fact a good example of the study of a political movement through the fortunes of one of its most energetic members. We are introduced to the world of pamphleteering and alehouse debates, where political theories were keenly examined, schemes for a new constitution endlessly devised, and new plots imagined for the subversion of the government of the day. It is a world with which Mr. Ashley has already shown himself familiar in his previous works on Cromwell and the Protectorate.

John Wildman has so far been known chiefly by passing references in some of the usual authorities on this period. Yet Disraeli could describe him as "the soul of English politics between 1640 and 1688". It is one of the extraordinary features of Wildman's career that he entered political life against Cromwell in 1647, was found guilty of conspiracy against the Protectorate, Charles II and James II, and yet survived imprisonment and exile to be Postmaster-General and a baronet under William III. Even William had to dismiss him from the Post Office for plotting. As Macaulay put it: "though always plotting and known to be plotting, he eluded every danger and died in his bed after having seen two generations of his accomplices die on the gallows". "The Major" was not the first of the English Republicans, nor one of the most original thinkers among them, but he became the leader of the group when greater men than himself had passed away. He linked up various sections of the movement and gave some energy and continuity to their efforts. He was no writer of pure political theory such as Algernon Sydney, nor a capable Parliamentary politician such as the Earl of Shaftesbury. But in many ways he was typical of his times, a prolific writer of manifestoes, always ready with new constitutional schemes for new occasions, and a dabbler in conspiracy and plot throughout his life. The aim of the Republican group to which he belonged was to secure a legislative body and government officers elected on as wide a suffrage as possible.

Mr. Ashley has made good use of contemporary evidence to

give a fairly complete picture of Wildman's plotting and pamphlet-eering. Particular interest attaches to the elucidation of Wildman's share in the negotiations between Cromwell and the army in 1647, in the Rye House Plot of 1683 and in the propaganda which heralded the revolution of 1688. On the last subject some valuable work has been done, proving the influence of Republican ideas upon the Constitutional settlement of 1689. But it would seem that on this matter the author has stressed his point too much. Anti-Catholic feeling rather than democratic principle had its triumph in the expulsion of James II and the exclusion of Catholic successors to the throne. In spite of his religious indifference, Wildman, like his fellow Republicans, limited toleration to Protestants and was in that respect far less democratic than James II himself.

However, Mr Ashley has shown that much evidence remains to be examined before a final verdict can be reached on the political changes of the seventeenth century. He has made an impressive contribution to our knowledge of the period, in his portrayal of a man whose importance has been widely neglected, and of a group whose active influence has been unduly minimized because they did not form a definite Parliamentary party.

R. K.

The Nature of Art or The Shield of Pallas. By Arthur Little, S.J.
Pp. 264. (Longmans, Green & Co. 8s. 6d.)

At first sight this book appears to be little more than a further contribution to the age-worn problems of the nature and function of art. As such it may discourage the ordinary reader who may have been successively convinced by Maritain, Richards, Read and Eric Gill. He might be tempted to leave Fr Little's considerations for the philosophers to sort out for themselves.

Yet in reality Fr Little offers more than a contribution to aesthetics. He sums up with admirable clearness the principal theories of art, and also presents in a popular style a criterion that will enable the ordinary Christian to discern good from bad either for himself or for those he is invited to advise.

It is this that makes the publication of the book most opportune at the present time. We are living in an age when art often appeals no longer to the mass but has to be judged by a minority of so-called educated people of widely divergent philosophies. We are finding it more and more difficult to classify into schools the modern artists who are all struggling in different directions towards something which at the moment appears vague and undefined. Even certain

Catholic writers that are recognized outside the Church as being great artists sometimes disturb pious souls by their themes and subject matter. Graham Greene and Bruce Marshall suggest typical instances. At the same time other well-meaning individuals are publishing works that are as turgid and dull as they are moral and proselytizing.

Fr Little has the advantage of being a sound philosopher, a clear thinker and a popular writer. His table of contents, for example, is a detailed summary of the book which enables the reader to find quickly explanations of difficult expressions and also to grasp the gist of the book as a whole. All his terms are clearly defined; all his assumptions and conclusions are amply illustrated by numerous examples that fortunately do not suppose the reader to be as learned as Fr Little himself. At the end of each chapter and section comes a conclusion that clarifies the stages of the argument.

Fr Little is a humanist. His contention is that art is virtual contemplation of the human soul. We cannot contemplate the human soul in itself during this life but we can experience its acts as significant of its nature. The conveying of this experience is the function of art. Only this solution can explain the power of *all* the arts, especially that of music. Only this can explain the presence of evil and even ugliness in certain objects of art. Only this fully explains the Aristotelian catharsis, the relationship between originality and tradition in art and that between art and morality.

This humanist conception is not that of M. Maritain, who, says Fr Little, contends that the object of art is its own intrinsic beauty. Fr Little is vigorous in his attack on Maritain, bringing out the fact that great art invariably suggests something outside it and can even be in itself ugly and evil. A Victorian lustre may be beautiful in itself, but it is poor art because of its utter insignificance.

In his desire to attack Maritain, Fr Little appears to overstate Maritain's position. When Maritain affirms that beauty is necessarily in an artistic object, he does not hold that this beauty is the first thing that appears to the senses in the object presented. He, like Fr Little, believes in significant art. That is why he says that one of the greatest forms of art is Church liturgy, precisely because of its significance. Intrinsic beauty may complement extrinsic beauty, but it does not cause it. On the question of ugliness, Maritain agrees fundamentally with Fr Little. It all depends upon what the object is meant to do. If its end is to depict ugliness for its own sake, it is obviously poor art. If it uses ugliness to suggest beauty in the same way as a schoolmaster may cane a boy to ensure discipline, it may be a work of art.

Indeed, it would be false to conclude from this book that M. Maritain and Fr Little offer two fundamentally opposed conceptions of art: one mediaeval and the other humanist. If by humanism we mean the reflection of human personality in art, we perceive how really humanist mediaeval art was. In the same way we can say that the mediaeval interest in the work itself permeated the whole of the humanist movement. The mediaeval scholastics did not bother to theorize art. Perhaps we could reproach two modern philosophers such as M. Maritain and Fr Little for wanting to discover theoretically opposing views which are in fact fundamentally complementary.

S. R.

Léon Bloy. The Pauper Prophet. By Emmanuela Polimeni. Pp. 119. (Dennis Dobson. 6s.)

It seems ironical that the centenary of the birth of such an intriguing man as Léon Bloy should be celebrated by a book so unpretentious as this from Miss Polimeni's pen. It is true that other books on the subject have been written by Joseph Ballery, Albert Béguin and Stanislas Fumet, but none of them can be graced with the qualification of being a satisfactory study.

Yet Léon Bloy merits a thorough and masterly examination if only for his historical importance. In France he helped to destroy a literary tradition that was growing either warped with convention or sterile with rationalism. He played a providential role both directly and indirectly in drawing to the Church a nucleus of outstanding people such as the Maritains, Hello, Péguy, Termier and Psichari. And yet his character remains as complex as his spirituality is radical and even dangerous. Bloy, it is true, was misunderstood in his own day. It has been justly said that a true appreciation of him must wait until it is possible to make a balanced assessment of all the forces that were surging in France at the turn of the last century. But should we not press for some developed record of his life and times while there are people still living who knew, loved and believed in him? What we need is a biography similar in its approach to Maisie Ward's *Chesterton*.

Miss Polimeni's work is far from being thorough. The first half is an interesting enough account of Bloy's life with adequate quotation from his work and other biographies. An attempt is made at a synthetic chapter in the second part. This is followed by the usual description of Bloy's interest in Semitism. But the problems are posed rather than solved or even developed and, what is more important, Bloy's alarming personality is sketched rather than por-

trayed. Such a study may have the advantage of inciting the uninitiated to read more of Bloy, and more about him, but it can also convey false notions by its very lack of comprehension. Other critics have stressed Bloy's sense of poverty as well as his prophetic powers: but nothing has been written on the magisterial scale that the subject deserves.

The book is written in a style that smacks of modern journalism without the directness that makes such a style attractive. The paragraphs are short and often composed of simple co-ordinating clauses that fail to co-ordinate. Sighs, hackneyed metaphors, and vague assertions tend to tire the reader even though the book is so short and simple.

The merit of Miss Polimeni's work is pre-eminently that it does attempt to interest English people in Léon Bloy. He is a figure deserving attention, but, in spite of what Miss Polimeni says (p. 32), we must constantly remember that Bloy was primarily a poet—a religious poet perhaps, but no theologian and, as far as we can judge, no saint.

S. R.

Is the Catholic Church Anti-Social? By G. G. Coulton and Arnold Lunn. Demy 8vo. Pp. v + 249. (Burns Oates. 12s. 6d.)

THIS book is the result of correspondence which appeared in the *Catholic Herald* in November 1943, and it represents the last achievement of Dr Coulton in his long sustained attack on the Church, together with the replies to his criticism made by Mr Lunn.

Those who have read the earlier joint efforts of Lunn-Knox, Lunn-Joad, Lunn-Haldane, and on the other hand the various pamphlets of Dr Coulton against Cardinal Gasquet, Fr Thurston, Fr Walker, Christopher Hollis and others, will realize that the two forms of controversy could not easily fit together. The value of controversy by correspondence ought to lie in the fact that objections can be met and dealt with point by point. The correspondence has the advantage of a controlled dialogue at which the reader is privileged to assist. Dr Coulton, however, really favours the monologue or the diatribe. He often gets himself involved and indulges in many repetitions. The net result from the point of view of the reader is a little disappointing.

The original arrangement, one gathers, was that letters of about 5,000 words would be exchanged, and that each writer would be allowed a total of about 50,000 words. Dr Coulton made the scheme somewhat lopsided in the event by producing a second letter of approximately 43,000 words. It takes in the book well over 80 pages

and might be called a complete conspectus of Coultonian criticism. Everything seems to be in it from mediaeval illiteracy to the totalitarian Church. After this Mr Lunn has a comparatively easy task. Not only does he convict Dr Coulton of unhistorical special pleading in the case of Luther, but he very neatly classifies the Coultonian fallacies under four heads: the fallacy of "Brains-trust infallibility", the fallacy of the "neglected context", the fallacy of "ambiguous terminology" and the fallacy of the "single cause". Perhaps the most interesting point in the book is the insistence with which Mr Lunn demands that Dr Coulton shall declare what he means by the term "Christian". It seems from the evasive answers that on this point Dr Coulton was himself very insecure—in fact, a Unitarian.

It may, I think, be said that in this book Dr Coulton has met his match, but the general impression is somewhat disappointing and the sequence of the discussion is not easy to follow. Cuts appear to have been made in some of the letters and in one or two instances references seem to be made to these passages which do not, of course, appear in the book. There are, moreover, too many minor slips and misprints on both sides. Nobody will regret that Dr Coulton's form of attack on Catholicism has come to an end. It was a good thing that his challenge was accepted by Mr Lunn, but the standard of the debate is scarcely up to the level of the earlier examples of this form of joint authorship.

A. B.

Britain's Crisis. By Paul Crane, S.J., B.Sc. (Econ.). Pp. 50. (John S. Burns & Sons, Glasgow. 1s.)

THE desperate nature of our economic condition, obvious as it should be, is rarely described so faithfully or faced so boldly as it is in this pamphlet. "These are honourable scars." We gave all that we had to save Europe: capital resources, at home and abroad; our very homes, even before the bombs had destroyed them, inadequate to meet the growing need. We are still giving to the care of Europe in a state of uneasy peace the men who might be once again building up our prosperity, and we are trying by a system of social security to which successive governments have committed themselves to prevent our own people from suffering as they did in the years between the wars. It is, however, not surprising that other nations take a more businesslike view of the situation. Debts have to be paid even when a hero has incurred them; if British goods are not available foreigners will obtain their imports elsewhere; the U.S.A. will extend credit as any bank does—on condition that the beneficiary can provide first-class securities and prove that he will

make fruitful use of it. In other words, we are desperately poor and we shall only rise from our poverty or even avoid bankruptcy by a stern and resolute effort on the part of all sections of the community.

Fr Crane suggests that a part of that effort, providing incentives to further hard work and enterprise, would be through increased taxation and higher prices (with the removal of controls and subsidies) to reflect in the reduction of real income the true state of things. The effect of this would be to withdraw individual expenditure from almost all items over and above Pope Leo XIII's standard of "frugal comfort" (with particularly beneficial consequences to the community in releasing labour from football pools), leading to higher productivity and—in the very long run—a higher standard of living. It would also enable the Chancellor of the Exchequer to abandon the war-time system of financing government expenditure largely through short-term borrowing which, in the absence of goods provided through Lend-lease, has inflationary consequences held uncertainly in check through the maintenance of controls on investment and the purchasing of raw materials. One may disagree on matters of detail with these proposals, but it is difficult to see how anyone could dispute their essential soundness. We are grateful to Fr Crane for outlining them and explaining their implications so much more lucidly and forcefully than either government or opposition politicians have yet succeeded in doing.

E. Q.

Le Père Arthur Vermeersch, S.J. L'homme et l'œuvre. Par Joseph Creusen, S.J. Pp. 228. (L'Édition Universelle, Bruxelles. 75 francs.)

WHEN Fr Vermeersch succeeded Bucceroni as professor of Moral at the Gregorian in 1918 he was already a leading authority on his subject, and the subsequent years confirmed it so surely that it may be said that he became the equal, if not the superior, of any of his predecessors. No one could be more fitted to write this memoir than Fr Creusen, S.J., his collaborator in what is the most widely known of his books the *Epitome Iuris Canonici*. Well prepared for legal interests by a degree in civil law before joining the Society, it appears that it was Canon Law rather than Moral Theology that chiefly attracted him, though the practical as distinct from the speculative moralist will rarely attain to any eminence unless he is also a canonist. Quite early in his life the annotated collections of Roman decrees, later to become the well-known *Periodica*, revealed a first-rate legal mind, and a correspondence began, which was to assume vast proportions, with priests in all parts of the world who were seeking from him the solution of their doubts. A contemporary of

Fr Slater and Mgr de Becker, with whom he was on the most friendly terms, he understood English and American problems more thoroughly, and approached them more sympathetically, than is usually the case with the Roman theologians and canonists.

Throughout a life of phenomenal activity, in teaching and writing, and as a consultant of the Roman Congregations, Fr Vermeersch was outstandingly faithful to his vocation as a priest and a religious, and he was known and loved by many generations of students, notwithstanding his insistence on a high degree of discipline and order: a letter addressed to the religious superiors of a student who was wanting in this respect is a model of its type: "Je le dispense volontiers d'une classe qu'il juge inutile. Je préfère un auditeur absent à un auditeur contraint et inattentif."

E. J. M.

CORRESPONDENCE

THE ENTHRONEMENT OF THE SACRED HEART

The Rev. G. Kieran sends us the following note:

In the Act of Consecration, recited by the priest and the members of the household wherein the ceremony of the Enthronement of the Sacred Heart is being performed, the following sentence is found: "May this house be for Thee a dwelling as dear as that of Bethany of old." It was in this home of Martha and Mary Magdalene and their brother, Lazarus, that Jesus was always welcome and where He eventually rewarded their hospitality by raising Lazarus from the dead (John, chap. xi).

Wherever, in the pages of the New Testament, we read of Our Lord being invited to a house, or entering a house, He invariably worked there a miracle, either of the physical order or of the moral order.

Luke i, 39-41. Our Lord, hidden in the womb of His Mother, enters the house of *Zachary*. The result: The child of Elizabeth leaped in her womb, and at that moment, according to the teaching of the Church, John the Baptist was cleansed from the stain of original sin.

John ii. The first miracle of Our Lord's public life was performed at Cana in a house to which He had been invited.

John iv, 46-54. Again at Cana. A nobleman *invites Our Lord to his home* at Capharnaum, where his son was dangerously ill. In response to this invitation, Our Lord heals the son.

Luke vii, 1, and *Matthew viii*, 5. A centurion *invites Our Lord to his house*, in which his servant is lying seriously sick. The servant is healed.

Luke viii, 41; *Matthew ix*, 18; *Mark v*, 22. The ruler of the synagogue, Jairus, *implored Our Lord to come to his house* because his daughter was dying, and subsequently died. Our Lord raised the girl to life.

Luke xiv, 1. Our Lord is *invited to take a meal in the house* of one of the Pharisees, and in this house, although it is the Sabbath and there is a great risk of arousing the criticism of the Pharisees, He cures a man suffering from dropsy.

Mark i, 29; *Matthew viii*, 14; *Luke iv*, 38. Our Lord *enters the home* of Simon and Andrew and cures there the Mother of Simon's wife, who was sick with a fever.

Luke xix, 1. Zaccheus, the chief publican, gladly *welcomes Our Lord into his house*. The result: Salvation was brought to that house.

Mark vii, 24; *Matthew xv*, 21. Our Lord, in the neighbourhood of Tyre and Sidon, *enters a house*, and there He yields to the entreaties of a Gentile woman and cures her daughter, possessed by the devil.

Luke vii, 36 to *viii*, 2; *Mark xiv*, 3 and *xvi*, 9. Our Lord is *invited by Simon, the pharisee, to a meal in his house*. Whilst here, He casts seven devils from Mary Magdalene and forgives her her sins. St Mark tells us (*xvi*, 9) that it was to this woman that Our Lord appeared first of all after His resurrection.

John xi. Lazarus is raised from the dead *at his home*, where Our Lord had often received hospitality.

When the ceremony of the *Enthronement of the Sacred Heart in the Home* is performed, Our Lord is, in a certain sense, invited to come and stay in that home. It may confidently be hoped that He will continue to work His wonders in that home as He did in the homes to which He was invited during His public life on earth.

These facts might encourage the faithful to have the ceremony of the Enthronement performed in their homes, and stimulate priests in their work to this end.

PERMISSU SUPERIORUM

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